AN ANSVVER TO A PASSAGE IN Mr. Baxters Book,

INTITULED,

A Key for Catholicks:

Beginning *pag.* 321. concerning the KING'S being put to Death.

By *John Nansan Esq;*

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Stock Tract

Cunningham Price

To the Reader.

I Know not why I ſhould endeavour to pleaſe or ſatisfy concerning this, that I throw it abroad, which was ſolitary, and private to me in the worſt of times, or any ſuch Apologies, or endeavours, or eſſayes, to take off cenſure. It were too much ſubmitting, and ſubjecting to others; let the matter and ſubject it ſelf ſpeak for it, and let others condeſcend their Judgments to it, and that is all that is deſired: It has no end out of it ſelf. Particular Reaſons I have; as that there is as good warrant in me to take off Mr. Baxter's *preſumptive, violent, injurious Arguments againſt Kings, and Governments, as he to aſſert them; the cauſe is his: he the aſſailant, I am but the Defendant: The ſally out into the World, and into ſo great an Intereſt as Kings Governments, and terms of ſubmiſſion to them, and when in ſome caſes, the people to kill, and ſlay, and deſtroy all; theſe great exorbitant, monſtrous conſiderations come from* Mr. Baxter: *he hath ſtated caſes, fixed them to Poſterity, that they may be fruitfull to generate in the World; mine but an Arreſt upon him, both to redeem truth, and likewiſe to let the World know that*

great Writers may contain much iniquity in them, and how the World is to beware of them.

But why do I entertain the Reader at the Porch, or without the Door, and seem to intreat him to like the ſtructure within, which he is to behold? Therefore I give it off, only this, that it ſpeaks that time, that diſconſolate condition then it was made to: and making it now another thing, is not my end, but to ſhew and repreſent the ſame; for every thing has its rectitude in reſpect of the point it tends to.

And this good in it, that though the ſubject ſad, yet it raiſes more conſiderations out of it, and from it; for we have our enjoyment from good times, but our information more from bad: And beſides, theſe conſiderations are general, ſo as no time [illegible] them; truths that are not particular in their nature, have an eternity in them. And for ought we know, there is as great a Wiſdome required to retain our Government as to attain to it: that lay but in one deſign, and eaſily done becauſe not diſcerned in the doing; this is of a perpetual providence, and perpetual danger, and enmity againſt it, and we are to betake our ſelves to all conſiderations wherein our good and evill is contained: and publick good is the great end, the wheel, and ſway, and compaſs to all motions, all particulars but conſidered in it.

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AN ANSVVER TO A PASSAGE IN Mr. *BAXTERS* Book; INTITULED, A Key for Catholicks;

Beginning, pag. 321. *concerning the Kings being put to Death.*

HE begins thus, *Concerning the Death of the King, I ſhall not meddle at this time with the cauſe, nor meddle with the Reaſons brought for it, or againſt it.*

Anſw. It will appear, by ſo much as concerns me to anſwer to, whether Mr. *Baxter* meddle with the Cauſe or not. This pretended abſtemiouſneſs, is but to make it pierce the deeper, and to make his

ſtrength more conſiderable: He is as great an Aſſertor of it, as poſſibly he can find matter to make it ſpeculatively true, though in fact he keeps out of it.

Whilſt he vies Intereſts with the Papiſts, he takes upon him to hold the Ballance; this of murdering the King, in manner and form of it, in one end of the Scale; and that of the Popes curſing Kings, and conſequently murdering of them, in the other: and he finds his leighter by much, which is the triumph of his cauſe; and to this he does abet all his ſtrength to make it good, which is by making the evil of it leſs; ſo as this is the very ſtate of his Cauſe, and you ſhall ſee him appearing in it by degrees, like a winding ſtairs, till he comes up to the top. I ſhall take all his by way of Objections, and anſwer to it.

Object. *The Providence of God hath ſo contrived it, that nothing but ignorance, or blind malice, can lay it upon the Proteſtants, Epiſcopal, or Presbyterian, that ſtrove ſo much againſt it, and ſuffered ſo much for it as they have done.*

Anſw. In this he doth confound Intereſts, to joyn the Epiſcopal with the Presbyterian; I am very confident the Epiſcopal would not mix with any other Intereſt in ſuch a defence; and to peece them to the Presbyterian, is an abuſe. It is a kind of Policy to defend a corrupt cauſe, by taking into it that which cannot be denyed to be juſt, and clear in it ſelf, and under colour of that to cry up the whole.

Not that I mean to condemn the Presbyterians directly for the Kings Death; I leave that to particular Arguments as they fall out, and to be underſtood in a juſt medium in it, relating to Presbyterians and Proteſtants both, that acted. But his further,

Object. *When many on the other ſide charged the* Scots, *and the Impriſoned Miniſters of* London, *with thoſe that were put to death, for going too far on the other ſide, in manifeſting their diſtaſts; of which I take not on me to be Judg, but mention it onely as Evidence that clears them from the Deed.*

Anſw. How cautious Mr. *Baxter* is, that he will not take upon him to be Judg, who were in the right of thoſe two parties, one the Presbyterians that diſliked the putting the King to Death, and the other that acted it, and were angry with them for diſliking, and expreſſing their diſlikes. He is very wary in this here, with his reſerves and ſavings, that he does declare it only as matter of fact; ſo tender is he not to engage too far, to judg or conclude any thing in it. This makes me doubt, that in ſome paſſages hereafter, where he calls it odious, and deteſtable, that he has

has a latitude in those expressions; for an Act may have those circumstances, and yet possibly be lawful: Now whether there may not be some thing of this in it, though he declares against the fact; I may doubt, because of his denying here to condemn it. Certainly, he that in his Soul has not a full abhorrency to it, is of the infection of it; and no other construction can be made. He goes on,

Object. To vindicate the Protestants openly before all the World, and to all posterity from that fact, it is most publickly known, that both Houses of *Parliament*, in their protestations engaged themselves and the Nation to be true to the *King*.

Answ. This was but in order to the War, which they were forming against the *King*; It was made the very means of raising the People by whom the War must be acted. Upon a plain down-right way of fighting against the *King* could have had no colour with the People; who are always in such popular confusions to be deceived and abused, to serve to others ends.

Object. That they openly professed to manage their War for *King* and *Parliament*; not against his Person and Authority, but against Delinquents that were fled from Justice, and against evil Councellers.

Answ. Mr. *Baxter* would make their War just, That it was professed and engaged to be managed for *King* and *Parliament*; Certainly, they did no more in this then all Subjects ever did that made War against their *King*, that is, to distinguish the *King*'s interest from the cause of the War: A less pretension cannot be for a Rebellion; Rebellion in the nature of it, is so much a Monster, as it seeks the best cover, and never has the face to pretend against the *King*. The fallaciousnesse of this, he himself evinced in his following, by saying, or at least concluding, *That a subdued King is never fit again to rule over the People that subdued him*: We need no other evidence now then the things themselves, so as we are to argue *à posteriori*, from the ends and issues, back to their causes; that is, that all War taken up by Subjects upon any pretence whatsoever, or by whatsoever caution, or limitation evermore, in the nature of it, intends the destroying of *King* and *Kingdom*.

Object. That the two Nations of *England* and *Scotland*, did in the midst of the Wars, swear in the Solemn League and Covenant, to be true to the King.

Answ. Still this was but the same thing to strengthen the confederacy; when at any time there should be a fainting or scrupling by the People, a

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new engagement, or profession to publick ends, and to common preservation, whereof the *King* was the Head, would give new life to it. And this was all the use that ever was made of that Covenant; It never served the *King* at all, but to beat him down and destroy him.

And all bringing the people into a body by Covenant, is unlawful; because Government meerly consists in having no contracts of the people acting of themselves.

And likewise the Covenant was not absolute, as a Kings preservation should be, but had a loose in it, that made it nothing; It was with a so far, as consists with Religion, Laws, and Liberties: The King's life, and his Rights were not absolutely covenanted; O God forbid, there should not be an exception, as to Religion, Laws, and Liberties! and this a-destroying power would be interpreter of. So as this Covenant was like *Nebuchadnezzar's* Image; the upper parts of Gold and Silver, the lower parts of Iron, and baser stuff; but the truth is, when men Covenant things contradictory, as to fight against the King, and to be true to him; they cannot be expected to perform better: for truth is of that Nature, that though men abuse it ever so much, yet it is unalterable: Effects are certain to their causes, and own their true Parents.

Object. The Committees, Commanders, Ministers and People, thorow-out the Land; professed openly to go only upon such tearms as managing but a defensive War against the King's miscariages, but an offensive against delinquent Subjects.

Answ. There is no such thing in Nature, as a defensive War against a King, by Subjects; as I shall more clearly demonstrate in due place. But in this Mr. *Baxter* grants, as far as is possible, to make it defensive, necessary, and of meer necessity on the King's part: It was offensive against delinquent Subjects, as much as to say, it was a War on the Parliaments part, to the destruction of the King's Subjects, and the King must be unconcern'd in it, sit by and be idle; with-draw all protection, and become immediately out of possession. For such is the Nature, and being of a King, when an armed power is acting, and the King sedentary, and not resisting.

In a *Kingdom*, a War cannot be against any party, and not against the *King*; for it deprives the *King*, of his governing power.

Consider but what the Nature of a War taken up by the People is (for his Senate signifies nothing, he shall find the whole is but King and People); First, when it once becomes powerful, it gains from its very unlawfulneſſe,

ſulneſſe, a liberty to be governed by none; for in unlawful actions they are all equals. No obligation can ariſe but where there is a primary juſtice to fix it to, and we ſee in this, every thing that prevails never diſputes right; and the reaſon is, becauſe the whole is unlawful. And I preſent this to Mr. *Baxter's* reaſon, as it is viſible to his obſervation, to ſhew him that ſuch a kind of War can be wicked, but cannot find a Juſtice to govern it; and his firſt of rebelling with caution, and condition, was a meer fiction. His next is a Narrative only.

Object. *In that it was known that the Army was quite altered, not only by a new modelling, but by an inteſtine Jeſuitical corrupting of multitudes of Souldiers, before this odious Fact could be done. And it was known, that the corrupted part of the Army, though the fewer, did ſo excel the reſt in Induſtry and Activity, that thereby they hindred their Oppoſition: And it is known that the Jeſuited party, that afterwards ſo many of them turned* Levellers, *did draw unto them the* Anabaptiſts, Libertines, *and other Sects, upon a Conjunction of Intereſts, and by many ſly pretences, eſpecially tying all together by the predicated Liberty for all Religions. And yet after this, the World knows they were fain, before they could accompliſh it, to maſter the City of* London, *to maſter the Parliament, to impriſon and caſt out the Members, and to retain but a few that were partly of their mind, and partly ſeduced or over-awed by them, to joyn with them in the work.*

Anſw. It is incident alwayes that when a King's Power is diſſolved, all Wickedneſs, and all manner of Factions and Diviſions, do grow up in the place of it; for want of that Power to retain them, and their own guilt ſtill driving them on, and being all equals in wickedneſs; theſe are ſo natural Cauſes as I wonder any one can diſpute them: They ly all in the firſt Cauſe of taking away the King's Power, all the reſt reſults out of it.

And they themſelvs had proceeded ſo far, as to all Deprivations of the King, and all manner of Imputations and Proſcriptions, as guilty of all the evill of the War; ſetling him in the condition of a Traytor, being King, kept him in cuſtody after they had bought him of the *Scots*, and not enduring him to terms till the laſt, when it was too late.

I grant, his party would not have had the King bin killed; A poor reſerve! when he is made incapable of any other condition. If the People did but know what it were to ſubdue their King, and deprive him of his Power, they would never diſpute terms of diſpoſing him: It is the ſame thing as killing, it ſtays but the acting: And this ſervs to all he ſays of this kind.

And let me insert this, though I consent wholly to his Narrative; that it is very ordinary and natural, when a party acts in a joynt wickedness and cruelty, and after grow into difference; the less able party will ever dislike what the other go thorow with to act, and pretend to a greater Justice and Moderation, when it is acted by others, and out of their Power: but more of this in the following.

Object. *It is known, that before they were put out and imprisoned by the Army, the Commons voted the King's Concessions in the Treaty, to be so far satisfactory, as that they would have proceeded on them, towards a full agreement. See Mr.* Prin's *large Speech in the house to that end: And if they had not suddenly been secluded and imprisoned, they had agreed with the King.*

Answ. This was when they had no other Interest left them but that of the King's, which they had laid by, and trampled upon perpetually, till now they must lose all unless they held by that: How endless and insatiate were they in exercising their own greatness upon the King's weakness; the People perpetually defrauded of the Accommodation by them thirsted after: Never any thing satisfactory, though they had all; and playing with this their own fortune, and most delectable greatness too long, at length (as all new excessive things are incident to change) the accidents by him mentioned fell in amongst themselves; and they were voting conclusions with the King, just the instant before they brake. Some secluded, some made Prisoners; some, to avoid worse, fled out of the Land.

It is the mis-fortune and condition of Tyrants to be subject to their own Power, and Slaves to it. An Army especially, that servs but to Subjects against their Soveraign, will, though humble, and obedient at first, as all such things are, grow insolent; as to equals, treat conditions, and have other Interests. It is like a hand-Wolf, that though he will be played with for a time, yet his Keepers and Masters are Subject to be torn in pieces by him upon the charge of his humour. Such was this their Army, a hand-Wolf too long played with, till it grew to know its own strength, and to consider that all Rights were alike against the King, and amongst the People.

And then for the Nature of the Agreement with the King, It was that for some time, he should have been without his Power; and all agreements with a King that vest him not in his Power, are nothing at all in consideration to a King, for a future restoring, or for security against the present Power; they are things that cannot be, and any intervening time

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would have raiſed new accidents from ſo great an impending cauſe; the greateſt in the World, beyond and above all conditions, and not being, can have no aſſurance of future being.

I call to mind a Paſſage in a Book called *A Plea for Parliaments*, ſuppoſed to be written by Sir *Walter Rawley*, that it was moved in Parliament in Queen *Maryes* time, that if ſhe ſhould dy, leaving Iſſue; King *Philip* the Father, and now Matrimonial King, ſhould hold the Kingdom till the Iſſue came of Age to govern, and ſtrong bonds ſhould be given for the Surrender. And a certain Lord (none of the wiſeſt, ſaith the ſtory) who had ſate ſilent during the whole Debate, at laſt boulted out this Queſtion; *Who ſhould ſue thoſe bonds againſt the King?* They were all preſently ſurprized, and ſo it fell, not a word more of it: As much as to ſay, An abſolute Power in poſſeſſion is above all Condition.

Object. One thing I ſhall call him back to, that is, ſaying, That *Multitudes who are now firm and loyall to the preſent Power, ſuppoſing it to be ſet over us by God, and therefore would abhor the like practices againſt them, do yet deteſt that Fact that intervened, and made way to it.*

Anſw. I would deſire to be ſatisfied, how Mr. *Baxter* can reconcile his Divinity. This Power ſet over us by God, therefore not to act againſt it: The King's Power either not in his ſenſe ſet over us by God, or elſe why did he act againſt it? If he ſay, to reform it; then, why not this? Are all things ſo ſatisfactory to him in this as needs no Reformation? The other Power of the King's, peradventure in his ſenſe, was not ſet over us by God. But how this is, I would deſire him to diſtinguiſh, and when and where he would make a ſtop to man's acting: I ſhould be very glad that the World were ſatisfied with it, that Supream Power ſhould be unqueſtionable; I would truſt God and Man, and humane caſual events, with my ſhare out of it, becauſe I ſee pretended Reformations never countervail the miſchief of Rebellions.

But in the mean time, I deſire him to diſtinguiſh betwixt theſe two Intereſts, why he is indulgent to this now; and ſo much an Actor and Engineer imploying his Divinity, Learning, and Paſſion, againſt the old. Let me ſtill hold him to this his own ground, *Set over us by God*: Whether he means of God's general Providence as the great Governour of the World, and ſo aſſigning Governours ſubordinate, or elſe that he means it in ſpecial to this, out of his fancy, or favour to it: I would have him diſtinguiſh, and I am prepared for him with a further inquiry. But in the mean time, becauſe I know not my future opportunities, I ſhall further trouble him,

I ſuppoſe he will not otherwiſe call or account it *Set over us by God*, then as all other wicked things come to paſs; as this did, through the blood and death of the King, which intervening cauſe he denotes deteſtable. Now what obligation extraordinary, and which the former Government did not, this throws upon man, is my Inquiry? Where ſhall man's Wiſdom act or reſt? This done by man, and why may not man undo his own Work? Is there a Fate upon him in one Action more than in another, if Reaſon doth not ſtate a difference? Is his Divinity otherwiſe intelligible to him than by his Reaſon? Does he act freely in ſome things, and not in all? Are ſome things of God, and not all things? If he will ſay, the being of Kings and Supream Governours ſhould oblige an unqueſtionable Obedience, let him anſwer then for deſtroying the former: Is a leſs Attribute due to a rightful King than to his Deſtroyer? His intended Reformation by a War, intended no leſs than deſtroying his Power to reſiſt. Beſides, it will be very hard for him, even in his own ſenſe, to determine betwixt a true King driven or kept out, and a King in Fact, and by Uſurpation and King-killing, which ſhould draw to it the Right and Obligation of Conſcience: and likewiſe hard for him to reſolve, when the new is ſo ſettled, the other in being though out of poſſeſſing, as to make Obedience entire. Therefore ſurely it were beſt God were left out, who in theſe our miſerable times hath been made a Stale and a Colour for all the cruelties men have committed: Certainly Divinity, in underſtanding the Will of God, admits of ſome diſtinction betwixt things done to God's Glory, and the worſt of Man's Actions, though all alike under the common Providence of God: But a little further, I deſire his Patience to go along with me. A King killed to day, and the Regicide by his party becomes King in Fact, and in Power to morrow; then to morrow he obeys him with all Attributes of God's greatneſs, Will, Power, Goodneſs; and if him, another on the next day, then him too, and ſo on ſtill. It is known, that after it began in *Nero*, how many Emperors came upon the ſtage of the World in a ſhort ſpace; killing and diſpatching the preſent, gave being to the latter. Now, where will he define or place his Providence, or bound Man's acting? Certainly, if at all, in the firſt place, for many reaſons; as the firſt looſe or progreſſion to Wickedneſs is the true cauſe of all the following; and becauſe there is a natural ſtay in the firſt, which looſed, the like is not found in the following. The truth is, it is a fooliſh thing to ty up Man's reaſon more in one thing than in another; for if he argues things greater or higher to him, he argues ſtill but to his reaſon.

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In the next he goes higher, and like a Stone falling, the nearer the Center, the greater its force; so he, as he proceeds farther, grows fiercer about the King's being judged to death by his People, and he extenuates the Fact by the formality of it: I should wrong him not to give it him in his own words.

Object. *I must needs add, that every wise man sees that the case it self much differs from the* Papists. *If the Body of a Common-wealth, or those that have part in the Legislative Power, and so in the Supremacy, should unwillingly be engaged in a War with the Prince, and after many years blood and desolations, judicially take away his life as guilty of all this Blood, and not to be trusted any more with Government: And all this do, not as private men, but as the remaining Soveraign Power, and say, they do it according to Laws: undoubtedly this case doth very much differ from the Powder-Plot, or Papists murdering of Kings, and teaching that it is lawfull for a private hand to do it, if he be but an Heretick, or but deposed, yea, or excommunicated by the Pope.*

Answ. Mine thorow-out will give a larger consideration upon the whole; But to his particulars, as they pass from him.

First he saith, *have part in the Legislative Power, and so in the Supremacy*, wherein he confounds them both together, and makes it but one and the same. To *have part in the Legislative Power*, as to the altering of Laws, or any other thing wherein it is exercised, implies a right in the People as to those things, and in the Nature of it a Negative Right: That is, that it could not be done without their consents; and this Negative Right gives them not a farther Right.

Object. His next is, and *judicially take away his life.*

Answ. The King's own words, at that hard time with him, when they sate over him as his Judges, are most worthy as from himself to be remembred; He told them how far his case was, their King, from being judged by them, when as all judicature was derived from him to them. And certainly, this alone of the King's carryes Argument enough in it against all judging or condemning of King's or Supreams; for no Power can create a Power against it self, and nothing in nature can go higher than its first Cause: A Power derived out of the King, cannot be understood to be against the King. He goes on to criminate the King, whether his sense or supposition I know not,

Object.

Object. *As guilty of all that Blood.*

Answ. The King's unhappineſs was, to be made guilty becauſe he was not able to defend himſelf: And ſo ſhall every *Prince* be that is overcome by his Subjects, they muſt be guilty to be deſtroyed. Tyrants Wickedneſs do but prepare a guilt for the cruelties they mean to act; It was the *Kings* own ſaying, That he had not one foot of Land in his own *Kingdom*, but what his Army ſtood upon. It was not poſſible to be a more neceſſitated War than the *King*'s, for all the World knows, it was deſtiny upon him; never perſons ſo obdurate as to take no conditions, never could find any *Medium* betwixt deſtroying their Soveraign, and their own deſperateneſs. And the *King*'s Intereſt wholly defenſive, not only for himſelf but for his *Kingdoms*; and that made him ſay upon his death, which ſeals all truths, that he dyed his Kingdom's and his People's Martyr. It were eaſy to go upon demonſtrative proofs in this, but it would involve the whole Cauſe, which we are to take in its parts.

Object. *And not any more to be truſted with Government.*

Answ. This is the reaſon in the Eye of the Law, which ſees to the end in the firſt act, that all attempts to bring a *King* under any Power of his People, are the ſame as to deſtroy him; And this was reſolved in the Caſe of the Earl of *Eſſex*, he would ſeize upon the Court, take the Queen into his Power, not otherwiſe harm her; remove from her evil Counſellors, but honour her Perſon.

Camden's Annals, f. 547, 548.

Now this was all adjudged high Treaſon in every circumſtance of it, becauſe all depriving of a Soveraign *Prince* of his Power is the ſame as to deſtroy him. *Eſſex* himſelf ſaid before his death, that the *Queen* and he both could not live; and others, the moſt eminent of his party, acknowledged that though it were not their deſign to deſtroy the *Queen*, yet it would have been the neceſſity of their proceeding, if they had prevailed; ſo as the effects of Rebellion Mr. *Baxter* makes his Arguments. Before I put an end to theſe Papers I ſhall reſume again his words, [*No more to be truſted with Government*,] to make inquiry into the Rights of *Kings*, and their Original; to find their firſt Cauſe, and to judge of their extent and terminations. But at preſent to his next.

Object. *And all this they do* (that is, take away the King's life), *not as private men, but the remaining Soveraign Power, and ſay, they do it according to Laws.* *Answ.*

Answ. Mr. *Baxter's* Objective words, without any proving, brings every thing to a question; as this hath two very great falshoods and high presumptions in it: The one, a Soveraignty in the *Parliament*; the other, a lawfulness of killing the King. For the first, which is made the conveyance to the latter to erect so high a wickedness upon, a Parliamentary Supremacy, to make them an expedient to kill their *King*, is no more true, than that there were two *Kings* in *England*, two Suns in the Firmament of Government, two Centers in a Circle, two Infinites, or any Impossibility that can be imagined. But I shall have occasion to treat the Argument of the *King's* sole Soveraignty in divers passages; onely at present to it, the *Parliament* is but a borrowed light, all derived out of the *King*, the Fountain; in opposition to the *King* it is but an opacous Body, the light withdrawn from it. *Grotius* states the case, whether Subordinates may act against the Supream Power; that is, whether any sort of Magistracy under a *King* have any quality or consideration in them, as dividing from the *King*; and he resolves it in the Negative: He reasons it thus, that these publick Persons are but private in respect of the chief, and all the faculty of governing in them is so subjected to the chief Power, as whatsoever they act against the Will of that is defective of the faculty, and is but of the Nature of a private Act. I shall give it off here, because hereafter I shall demonstrate the impossibility of two Soveraignties or Supremacies in one Government, and reduce *Parliamentary* Rights to their due Qualification.

Grotius *de jure Belli, l.* 4. *inventi sunt nostro seculo.*

Now then, take away this, the other falls; this the Theatre Mr. *Baxter* erects for judging the *King*, and Scaffold for beheading him. The truth is, the Laws are all silent about this Question, Whether a *Parliament* may commit Treason: so as if we shall not take them in their general understanding we have no law in this Case.

It is a thing not to be doubted, that the Law never had it in imagination, that there was any exception to the committing of Treason; so as no such thing mentioned in Laws, nor ever entred into the mind of any Commentator, who write at large, and many times their own conceipts; yet it never came into the conceipt of any Person, to except a *Parliament* for committing Treason. It is many times in Nature the strongest Law that which is not mentioned; because

becauſe the caſe never imagined to be, and therefore not provided for.

So as if Mr. *Baxter* will not take all the Laws that are generall, without exception, to include all Perſons, then is the *King* without Law, as againſt a *Parliament*.

All the ſenſe of the Laws reſpect the *King* without any conſideration of Perſons, no ſenſe or intendment of that, but only the end to which it is directed; and therefore it is called *Crimen læſæ Majeſtatis*; which ſhews where the end is, in the King's Preſervation, but the means never differenced in reſpect of any.

It were in vain to enumerate the Laws, and to aggravate them; all dread, and all ſaving, being to the life of the Government, the *King*.

This differencing is out of all Laws, never thought of; it had its Law and Execution at once, as Treaſons are never owned till they are acted.

But let the Reader conſider upon the Statute 25 *Edw.* 3. which is the Declarative of Treaſons, whether there is diſcernable any differencing in it, or exceptions of Perſons, or Callings, or of qualities, or any imagination of this Propoſition, till now that wickedneſs ſtrives to defend it ſelf.

I ſhall take occaſion here to ſpeak to former actings of *Parliaments* upon *Kings*, depoſing them, and conſequently killing them; becauſe the Nature of man is, to think any thing that hath bin done may be done, and ſo never finds end of wickedneſs but to make it infinite. Any extraordinary or tranſcendent acting upon Government, though never ſo unlawful and violent, yet if it become powerful, it commonly creates ſomething to others to derive from it; as thoſe Perſons, whom Mr. *Baxter* would vindicate, long before they divided, declared, That in caſe they ſhould act to the higheſt Preſidents, they ſhould not fail in duty or truſt; having their eye and aim upon the depoſing of *Kings*, *Ed.* 2. & *Rich.* 2. And the laſt Actors that compleated the Tragedy, conclude power of *Parliaments* from former deſtroying *Kings*, and ſetting up others.

I ſhall produce it only into ſome conſiderations by Epitome only, leaving the large Subject of it to the Hiſtories, how thoſe *Princes* came to be declined, and loſe their Power. The firſt, *Edw.* 2. his condition was, to be Priſoner to his own *Queen*, and his Son,

a *Prince* of fourteen years of Age; and the implacable hatred of the *Queen* and her party was such, as the *King* must be destroyed; no competition being to them both: The whole Power was with them; they call a *Parliament*, which acted meerly as they prescribed. The *King*, deposed by Act of *Parliament*, submitted, and resigned, in hope of life, which he could not have. The other as unhappy, *Richard* II. Prisoner to the Usurper *Henry* of *Lancaster* his Cousin-Germane. The Fate of subdued *Kings* by Traytors, is ever to run into the same Center; Traytors leave nothing undone of the last Act of destroying. Now, the actings being thus, what are the considerations upon it; First, these Persons, and the *Parliament*, were the first that ever acted so in *England*, and so must derive the Justice and Authority of it out of themselvs, and nothing from whatsoever had been done before.

Next, there was no such thing as *King* or *Parliament* in the Nature of it. As well *Jack Cade*, or *Wat Tyler*, if they had compleated their Rebellion, might have convened any party out of the People, calling it a *Parliament*, & set himself up *King*; for one Subject hath as much Right to be *King* as any other.

Next, such a *Parliament* as it was, it was the Subject of an Army; the Army of the Usurper, by which he had got Possession, and destroyed the *King*'s Power; so as in effect, condemning, deposing, was the Act of the Army absolutely; for so it must be done, by such a party called a *Parliament*, and for the purpose; and so are all our Mock-shews, to set up any wickedness, own Authority, but act servilly, and are meer imposture.

Next, the Act, horrid Treason as was imaginable or possible to be in Nature: Now the Question comes to be, Whether doing wickedly can create a lawfulness? If so, all sins and villanies by the perpetrating them, lose their Natures to be evils, and become lawful; A conceipt, nothing that comes into imagination can be more monstrous! There must be a first lawfulness in every Act, else the doing it, is a Wickedness; and still that wickedness perpetuated and multiplied in the after-acting it.

Next, this condemned by the first *Parliament* that was upon the change of the Power; for so long as the Power continued it stood for good, as all Wickedness does. But the *Parliament* under the rightful *King*, damns it as traiterous, detestable, to be driven out

of the World, never to riſe up again, pulling down God's Judgments upon the Land, Civil War, and all the Plagues of it: I ſhall conclude this, that Wickedneſs can be no Preſident.

Now, having gone along with him upon his particulars, which he only aſſerts, not proves; my next is, to take notice and mind him that he is very near loſing his cauſe, which I fear he will do anon; for he is arguing to a lawfulneſs in their putting the *King* to death, and it is his buſineſs to keep himſelf out of it; and likewiſe the *Parliament's* Cauſe, and War, and the Religion, Proteſtant and Presbyterian.

Now, being himſelf a chief Profeſſor and Actor in thoſe Intereſts, if he finds Argument for it, ſo far it is his Reaſon; if his Reaſon, why not his Opinion (I know not the difference); if his Opinion, why not of the party: Thus he winds and ſcrues himſelf into that Intereſt he would diſclaim, and ſays more for it than the Actors themſelvs; and he concludes with theſe words, *And they ſay*, ſo as he ſayes it and yet makes it their ſaying.

Either Mr. *Baxter* holds it lawfully done or unlawfully; if lawfully, then he loſes his cauſe, which is a diſclamer of it as unlawful; if unlawfully, then his Judgment is, that Form of Law uſed to unlawful Actions, makes them leſs evil.

In Anſwer to it; This is an Opinion ſo ſtrange, that forms of Juſtice, put to wickedneſs to act it by, ſhould be the good of it, or make it a leſs evil, that I never heard it reaſoned, but condemned in Nature; very Nature it ſelf hath an abhorrency to it, when we ſee Laws, and Juſtice, and Tribunals, and any thing that is good in its ſelf to be made the means to wickedneſs.

Now I ſhall enquire into the cauſes; Firſt, it is becauſe the Law is the Rule and meaſure of all Juſtice and Righteouſneſs, and therefore the perverting of that begets a common Injuſtice, and this far exceeds the Nature of any particular evil, becauſe it refers and relates to the common condition of men: All murdering by Law is moſt wicked and noxious, becauſe the Law it ſelf in its truth and righteouſneſs is murdered in it; and therefore great actions of publick Injuſtice, the Laws drawn down to ſerve to them, are looked upon as Prodigies; and this Argument is ſuch as needs no amplification or addition to it, it contains all in it ſelf.

Then the villany and apoſtacy of it, when it is done purpoſely of deſign

design and by Hypocrisy, this comprehends in it the complicate nature of Wickedness when Hypocrisy is added to it, and when that he calls Legal, Judicial, is made instrumental of it; the Law debauched, and bawded to serve to the interest of a wicked action; this is the very height of wickedness, it cannot in nature go higher. And hence it is, Hypocrisy, and false pretentions, and disguising our corruptions with shews, and false owning of good, is so hatefull, and abominable, and detested an agravation of all evil, and wickedness. 67

It was an instance given in Parliament by the Lord *Digby*, upon the tryal of the Earl of *Strafford*, to illustrate the nature of acting wickedness by Law, which they were going upon, that one having gotten with Child his Brothers Daughter, to mend the matter, and to his further end of enjoying her, marryes her; and this is condemned by the Casuists, as adding to the simple sin of Incest, by the Ordinance of Marriage abused to it. This shews the nature of it; but we shall find it higher presidented in that of *Nabath*: The design being the having his Vineyard, the means must be such as would serve to the end; a less means then to take away his life, would not do it; private murther will not serve, it must be such a way as he must be condemned, and lose his Inheritance with his life. The Elders of the City are plotted with in it; the solemnity of a Fast used; it must be done formally, Judicially; they gave Judgment, as appears, because they received testimony, heard Witnesses, then kill and possess. Nor this neither, though extreamly wicked, rises up to the heigth of the Kings Case; no parallel in the world for it.

If it be objected, That they did not act deceitfully, but believingly, though wickedly; this is manifest against it, that they resolved the death of the King before they tryed him. Mr. *Baxter* cannot be so blinded with partiality, as to believe the King in any case should have come off, or been acquitted, but precondemned; and thus to make him more the subject of their cruelties and scorn; and by a kind of Judgment, to be the fatal period of Kingship to the Nations; so as it was nothing but a direful design, dark as Hell, a meer conspiracy; And Pagentry in the acting of it, and the Law abused to it, false in every part of it, to do it in the name of the People, and Parliament, so as in this, Mr. *Baxters* reason utterly

deserts him, or else he contracts all the guilt, and odium of it upon himself, to extenuate the evil of the Act, by that which was the exquisite wickedness of it, the formality and owning Authority in doing it.

Then to descend from the evil in the nature of it to a politick consideration of it; this goes to the Calling, the other but to the Person, this brings all Kings under their people: The difference betwixt this and that of the Pope is, Things may be as evil as is possible, yet not so extensively evil; this is as universal as man is: for where men are, must be Government. This judicial way which he places as the good of it, is such a Monster in the president and practice of it, as all the World is concerned in it. It strikes a greater blow then the killing of many Kings; the Calling killed in it; the priviledg and exemption of Supream Governours killed in it; the very essence of Government killed in it; the subordination to God, and to be judged by none but God killed in it; all is beaten down and trampled upon by this act, the whole frame of nature over-turned; No such thing as Government can be, if the governed may judg and execute their Governour.

Then the manner of it by this formality, makes it viler upon the precious person of a Soveraign King than assassination, murdering, or sudden dispatching; The King to be subjected to so miserable a condition, as to be made appear a criminal at the Tribunal of his Subjects: And if he had answered out of any poor, imbasing hope, he had stained that sacred Prerogative of Kings, Not to be judged: And all the tedious and odious formalities that did attend this, which horror makes me not express, but take it inwardly, as that we owe the victims of our sorrow to.

To conclude it, I confess before this horrid production, I thought nothing could be worse then that of the Pope: but now is the world of wickedness enlarged, and such a Monster as seems to add to Nature; the odium of it taints the English Nation, and will do as long as memory is of any thing: for he cannot deny it English, though so many out of it, so few in it.

Now after all this, I do admire how Mr. *Baxter* can dispence with the Scriptures, against using force to Kings, or destroying them. His distinction of Parliamentary right will not serve, since it is absolutely forbidden.

Thou

Thou ſhalt not revile the Gods, nor Curſe the Ruler of thy People. Exod. 22. ver. 28.

That they may have to offer ſweet Odours to the God of Heaven, and pray for the Kings life and his Sons. Ezr. 6. 10.

This was cuſtomary with the Jews, to pray for the King; which being practicall in Gods Worſhip, was more then Precept.

Againſt thee, thee only have I ſinned. Pſal. 51. 4.

That is, None to judg the Kings ſin, but God: He might be evil, but the offence was only to God. The offence reſpected the Judg of it, which is God only.

Curſe not the King, no not in thy thought. Eccl. 10. ver. 20.

This not thinking, is a reſtraint of all evill, ſince all evill is a firſt thinking evill; ſo as this is an univerſal prohibition.

My Son fear thou the Lord, and the King, and meddle not with the ſeditious, for their deſtruction ſhall riſe ſuddenly. Prov. 24. ver. 21.

This proves the natural dependency of it, The fear of the King on the fear of God; then it goes to the reaſon of it, fear the King, not to rebel againſt him.

I will conclude it with that of *David*, cautionary to his own Soul; *Who can lay his hand on the Lords Annointed, and be guiltleſs?* 1 Sam. 26. ver. 9. A full definitive ſentence in the Caſe, that no violence can be offered to a Kings perſon.

And that this was general to all Kings, ſee the conſent of all Scriptures.

Let every Soul be ſubject to the Higher Powers, for there is no Power but of God, and the Powers that be, are ordained of God; and whoſoever reſiſteth the Power, reſiſteth the Ordinance of God; and they that reſiſt, receive to themſelves damnation. Rom. 13.

Now that all theſe Powers doth properly intend a King, the words following are, *For Princes are not to be feared for good works, but for evill.*

And then after, in the ſingular number, *He is the Miniſter of God, and he beareth not the Sword for nought.*

Now this Text, as it makes ſubjection abſolute, ſo it takes away all parity of Powers; it intends one Supream. And Powers in the nature of it, is but one Power, for all ſubordinate Powers flow out of it, and refer to it.

Exhort

1 Tim. 2. *Exhort therefore that first of all Supplications, Prayers, intercessions, and giving of thanks, be made for all men, for Kings, and all that are in Authority, that we may live a peaceable life in all Godlinesse and honesty; for that is good and acceptable in the sight of God our Saviour.*

This present Emperour was a Tyrant, *Claudius Nero*, which stops all objection from the Kings mis-using his Authority, it looks to the good of Government in general, and to the evil in general, of resisting to Government.

1 Pet. 2. 13. *Submit your selves to every Ordinance of man for the Lords sake, whether unto Kings as Supream, or unto Governors, as unto them that are sent of him.*

Here all Government is included in the King; sent of him, that is out of him, and acts by him: And submission to Government here is made essential to Godliness.

1 Pet. 2. 17. *Fear God, Honour the King.*

Making them connaturals, and that the fear of God cannot consist with dishonouring the King; the word Honour includes all subjection in it.

Having taken forth these Scriptures thus clearly, and considered all the united force of them for preservation of Kings, and for all Allegiance and fidelity to them, I reason thus, as to Mr. *Baxter*, and his Case, that the very force of Scripture, and Word of God, will not permit any such thing to be, as a lawfulness of killing or judging a King, or that possibly Law, or Authority amongst men, should be repugnant to the voice of God, being general and universal, for obedience to Kings, and not to offer violence to them; To acknowledg (as he needs must) that the Scripture commands such things of Kings. But we have a Parliament, a thing made out of the people, that may lawfully condemn and execute the King; This is a meer contradiction to God himself: no pretence of man can dissolve the universal Will of God, declared without exception; for a King he is, and no distinction can frustrate the will and command of God, for so it should be subject to a lye if it should come under man.

And then to consider, that truths stated in Moral duties, never lose their natures, but are ever the same.

And now I am loath yet to part with these Scriptures, till I have made

made a full claim to the ſenſe of them, howſoever Mr. *Baxter* deal with them afterwards.

Let every Soul be ſubject, &c. which is to the King, which I have proved, and the Text ſhews it; Is it not excluſive of any power, to be againſt the King? *Every Soul*; the word hath a ſtrange emphaſis in it; *every Soul*, that is, bringing it to a ſingularity, and neareſt diſtinction of man by his Soul, which is moſt himſelf, and wherein he acts his ſubjection; and ſo preciſely, and individually, *every*, containing all.

Then to fear the Lord and the King; that is both as one, the condition of the one implying the other. Then forbidding to joyn with ſeditious, or ſuch as are given to Change; which directly points out Rebellion: And then the caſe of very Tyrants, commanding ſupplications to God for them, ſhewing directly the nature of Supream Governours to be born by the people, whatſoever their condition be. And then ſetting forth all Government of ſubordinates, to be but the Kings Government, virtually in him, nothing of themſelves *per ſe*. And then, Curſe not the King, admit not an evil thought of him, pray for him; ſtill ſo many ſteps to his preſervation, keeping all harm or hurt far off him, muſt needs intend the greateſt, of not deſtroying him: Then to call them Gods, an exemption from all humane Tribunalls, above the condition of mankind, ſubject to God onely; as Supream Governonrs cannot in nature be other: and then, generally ſubmiſſion to them for the Lords ſake; that is to ſay, Gods Service included in it.

Now if out of all this we cannot make a conſtruction, that Kings ought not to be deſtroyed by the People, or by any ſort or calling of them under any Form, Guiſe, or pretence whatſoever; then nothing can be concluſive to man.

If after all this, there be any thing for Mr. *Baxter* to pretend to, and not utterly give up his cauſe, he muſt make the King of *England* to be ſuch a thing as not to be within the intendment of theſe Scriptures: Not a King, not a Supream Governour, not ſo qualified, or to be ſo obeyed, or acknowledged, a thing meerly nominal, and conditional, under ſome other Supremacy, and ſubject to a forfeiture of himſelf; That this was ſo at his beginning, and admitting; that time and ſucceſſion hath given him no other right ſince; that

all

all this proves it self so to be: That the Parliamentary was the onely Primary right, and only natural, and National, and Kings their Servants, and Trustees, and accomptable; And that the Government so began, when no King was, and his being still under a condition; and the condition no less then to be subject to a lawful destroying Power.

If all this were, which is as far from truth as madness it self; yet I think that God would take it ill that we should mock him, to set up a King to Govern, and then to reserve a Power to destroy him, against his Word, and meaning: for the very power of Governing invests him with all these rights of protection; vertually all these Attributes fall to him by his actual governing.

It is a principle in nature, that Supremacy attracts all right to it, and all perfection: to be King, and not perfect, is impossible. And this I will say at last of the King himself, which I think his very enemies and destroyers cannot deny, that never any Prince fell by his people, that had fewer faults, and more vertues.

Now at last my exception to Mr. *Baxter* is, that he personates the Protestants, so as to destroy them, and their Religion. There is no other way of keeping the guilt and imputation of that horrid accursed act from the Religion, but by a total condemnation of it. We say, and justly, that it was an act that transcends all that ever was, worse and more infernal, and execrable, then any thing else the Pope or man can do.

Now Mr. *Baxter* out of his particular, makes it the Protestant interest, that it be not so evil as the wickedness under the Religion of Papists, and so puts it upon the Protestants account, of whatsoever nature it be, and makes it their interest to extenuate the evil of it, which is a meer involving them, and their cause into it, and the most unjust in the World; for, Is a Religion to answer for what wickedness men do in it: I mean, being of it, or professing it? But thus he loves to hale all Interests after him, to follow his sense. Let him himself be in love with it, extenuate it, find Jesuitical abstracted, quintessential notions, to dissolve all Allegiance upon Terms, let him take it to himself, and not make it more general then his own party.

Having done with this sad subject, we will see him in his next, whither he will lead us.

Object.

Object. *It is a grievous Case, that the Senate or Body of a Nation should think themselvs necessitated to defend themselvs, and the Church and State, against their Prince, or any that act by his Commands; it will strongly tempt them to think that the end is to be preferred before the means; and, it ceaseth to be a means which is against or destructive to the end.*

Answ. The poor unfortunate *King*, that could never by any possible compliance and means begg off his own and his Kingdoms ruine of them, was wont to tell them, when they used the great Argument of necessity for all violent actions, that they were necessities of their own making. Because their ends were exorbitant, and such as the Laws would not bear, they must proportion the means, which drew on the necessities.

Now to his preferring the end before the means; a principle he is fallen upon, and the most dangerous one of the World; for by this he may decline all Truth and Justice, to go the next way over to his ends: and yet a very strong one, that the end is that for which the means is; there is no use or consideration of the means, but to the end: By this ground he hath laid flat all Honesty, Truth, Goodness, whatsoever; for it may be it doth not suit to the end. And hence it was, that their ends being Reformation (as they call our Deformation and Destruction) it could not be done by a lesse means: I do but mind him of this, his party having made so much use of it. The truth is, if men would ty themselvs to the Justice of the means, they could never attain to unjust ends.

Object. *It is essentiall to governing Power to be for common good.*

Answ. No doubt but it is, as appears by their destroying the Government, and we never had any good since. But without taking this advantage, I will give him a further Answer, from the nature of Government, and every other thing we call good; that is, good in the generality, not exact good in every action of it.

Object. *It is no Authority which is used against common good.*

Answ. Then there is no Authority in the World; for there is no Authority or Magistracy, but at some time or other is used against it. He multiplies forward still,

Object. *It would tempt them also to think that God never gave Power to any against himself, or above his Laws, or against the end of Government.*

Answ.

Answ. He should prove here, that God gave them a Right of destroying both the King and the Government; for that is the Case: For he confesseth the War raised by themselvs against delinquent Subjects.

But to answer to this, as he intends it; God doth some times give evil Governours, and doth he not likewise give them Power? God himself fore-spake in *Saul*, and then concluded the People, in these words; *then*, that is, when they were oppressed by their King, *shall they cry out*; that is to say, seek help of God (*Quia scilicet humana remedia nulla extarent*, *Grotius* exposition of it) *call to God for help*; that is, there was no means of resistance to be used on their part. His next,

1 Sam. 8. 18. Grotius de jure Belli, 81.

Object. *A Senate, or the Body of a Nation, will be apt to think themselvs fit to discern when the Publick safety is dangerously assaulted, and will hardly be brought to trust any one to be the finall Judge of their necessity; as thinking, such a publick necessity proves it self, and needs no Judge but sense and reason to discern it.*

Answ. Suppose there had been no Parliament, this Argument would have served for the Body of the People to rise up, and take away the *King*'s Power, as not fit to judge of the necessity, or to be trusted with the Publick safety.

It was the *King*'s Act to call a *Parliament*, and 'twas his and our ruine that he put himself upon it.

Having hitherto kept equal pace with him in these his severall distinct heads, give me leave in general to censure of them; that is, that in them he hath sown the seeds of all the Rebellions in the World: Let them be taken as truths, abstractedly, without their alloy or composition, (as so the very Elements would destroy us,) no Government can stand. Do we not, as often as we err in any thing, employ the means against the end? and shall we, as often, fall out with our selvs? These abstracted Considerations cannot consist with the being of Man, which is not certain in any thing, but subject to error; and as often as ever a *King* errs, so often, by his Argument, the means is against the end, and loseth the essence of a governing Power. So as by Mr. *Baxter*'s Learning, there can never want matter for Rebellion.

In the next, he raiseth his *Parliament* as an out-work to affront and batter Monarchy, in these words,

Object.

Object. *And if they also think, that the fundamentall Constitution of the Government doth make the Senate the higheſt Judge of the ſafety or danger of the Re-publick; and that it is Treaſon againſt the Common-wealth, and (as Politicians ſay) againſt the* Majeſtas realis, *to riſe againſt them.*

Anſw. Mr. *Baxter* hath of this in ſeveral places, the *Parliament*'s Supremacy, it is his *Goliath*: I ſhall anſwer generally to it at once.

Now the Arguments may be many, I will make it but a Paſſage, not a ſerious Debate, and give but hints of truths that may be enlarged.

The firſt is, that I am ſure, though I was not of that time, that *Kings* were when *Parliaments* were not; and then, muſt be granted abſolute, the other not in being: We cannot ſuppoſe here in *England* any time of Government without *Kings*, and the *Kings* themſelvs thought it beſt to convene the People, to draw thereby aids of the Publick, by publick conſent; and likewiſe, to have all Counſels and all Grievances in common; to be common in helps and means which is ſtrongeſt; and peradventure, to ballance the Lords by this popular Power.

Whatſoever the ends were in it, or the uſe to be made of it, or accidents that grew out of it, it ſhews it was a Creature meerly of the King's Will and creating; and therefore cannot be intended but to act under him, and to his help, as the end of its Being: So being called by the King in this ſenſe, they bear in them the Peoples Rights, whatſoever was left in the People to be diſpoſed of by their own conſent: Their Power therefore muſt hold proportion with that; that is, only in the quality of the People, as to complain of Grievances, and petition Redreſſes, to give their private to the Publick, and to conſent to alter Fundamentals as there ſhall be cauſe; all which are the natural Rights of the People, and common conſent is required to them.

Now this does not reach at all to Mr. *Baxter*'s ſenſe of ſharing with the *King* in Supremacy, and Power, and right of governing nothing at all of it. All *Parliament* rights have their ſtation below governing, it is by accident when they meddle with the Government, as about the cauſes that require their help. And all great,

and outward relations, and inward, may be Objects of this great Body of the People, as their help is required; but this with that caution, as the King puts them on, and takes them off: So jealous a thing is Soveraignty it self.

And it is a nice distinction to make them Judges of the necessity, and not to judge of the cause of the necessity; and therefore involve themselvs sometimes in it too far, and the retreats have been difficult. No doubt, this must needs be a strange, great, considerable Power in the consequence of it, that which all the rest moves by, and is the matter or means of the Government: But this does not alter the Nature of it.

It is a most noble Constitution, because it begets treatment betwixt *Prince* and People; and there is a correspondency betwixt the giving of the one, and the retribution of the other; but when either make too much use of their Power it destroys the order, and the inconvenience is so intolerable to the Nation, as they are brought again to it, and must correspond.

Now nothing preservs so much as when things keep to their Natures. The good of *Parliaments* does consist within their own rights, and not to enter into the *King*'s; for then it breaks the *Parliament*, or the *Parliament* breaks the Government.

To return to the nature of the Objection of co-ordinate Power of *Parliaments*; The *Parliament* is a Creation that comes out of the *King*'s Will and Power; nothing of Power to beget it self; and therefore cannot be understood to serve to another end, against that which was its cause, and which it self had absolute Being without it.

Never to this day, they have Power to their own Being, but at the *King*'s Will; a meer Entity first in the *King*'s Will, before it can have any in them; so as they are meerly Creatures, having their Creation from another's Will, and so to determine them after they are in being, which shews the most absolute depending on another Power that possibly can be.

Hence rationally, and consequently of this it must be, that the end is of the Agent and Author, and not to be their own end, that did not, nor could not, move to their own Being; so as meerly it follows, A *Parliament* is the *King*'s business because it flows out of his Will: And some Acts have been made by consent of *Kings* for certainty of *Parliaments*, but have not bound *Kings*; for we

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ſee, they have been diſcontinued many years together: So certain it is, that Regal Right cannot be reſtrained.

Now, the *King*'s good and the People's, are ſo neceſſarily conjoyned, as it cannot be ſuppoſed they can ſerve the *King*, but it muſt conſerve the Kingdom, and all the People: And hence flows all publick conſiderations and concluſions; the whole Intereſt of the Nation reſolves it ſelf into it, and all the Powers ſubmit to it; becauſe all parties are in it by convention or repreſentation, and the *King* can make lawful whatſoever they can conſent to.

But without the *King* they are a meer inanimate Body, and can act nothing; they are as the Womb or Matrix, the *King* is the generative Maſculine part, that gives life and production, and actuates and forms their conceptions.

And the difference not rightly conceived begets the miſtake, confounding their Power with that of ordinary ſtanding Courts, which act by the *King*'s Power inveſted in them, which he cannot with-draw, or deny to; and this of *Parliaments*, which is extraordinary and by the *King*'s conſent. And then too, their work is about the generality, not to do with the ordinary proceedings of Law proper to other Courts, but only the abuſe of them.

The Author of the Hiſtory of *Independency* affirms, *pag.* 35. that the judicial Power of the Houſe of Lords is by the King's ſpecial Authority: his Argument upon it is, The *King* makes them Adminiſtrators and interpreters of his Laws, but he never truſts any but himſelf with the Power of pardoning, and diſpenſing with the rigour of the Law, in Criminal caſes: And though the Lord Keeper is Speaker of the Lord's Houſe of courſe, yet he is no Member of the Lord's Houſe, *virtute Officii*. The Judges are not Members but Aſſiſtants only; ſo that no man in the Houſe of Peers, as he is ſimply a Peer, is truſted by the King, either by diſpenſation of Law or Equity. Hiſtory of Indepen-dency, 35.

When a Peer of Parliament, or any man elſe is tryed before the Lords in *Parliament*, criminally, he cannot be tried by his Peers only, becauſe in acts of Judicature there muſt be a Judge Superior, who muſt have his Inferiors miniſterial to him: Therefore in the Trial of the Earl of *Strafford*, as in all other Trials upon Life and Death in the Lord's Houſe, the King grants his Commiſſion to a Lord High Steward to ſit as Judge, and the reſt of the Lords are but

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in the nature of Jurors; so that it is the *King*'s Commission that authorizeth and distinguisheth them.

When a Writ of Error issueth out of the *Chancery* to the House of Peers, they derive their Authority meerly from that Writ: For the three Reasons aforesaid, the House of Peers is no Court of Judicature at all without the King's special Authority granted to them either by his Writ, or his Commission.

As for the House of Commons, they never pretended to any Power of Judicature, and have not so much Authority as to administer an Oath. Thus far his,

But the Argument is not at all pertinent as to the House of Lords whom they have expelled, and all Form of Parliament or Callings, but in the People; their ground is onely upon a House of Commons, as the People's Representatives. Nevertheless, we take the whole, and give truly the Nature of a Parliament; for the perfectest way of rejecting Falshood is by delineating the true Form.

It is not imaginable for a King to govern without the assistance and assent of the Peers, for Government cannot stand alone; for as they are ever a party, where any King is: the Question is only of the Commons, which is an Adjunct; and therefore the Searchers into Antiquity take upon them to antedate them, and derive them but as an Accident to the Government in *England*.

Prin's plea for Lords, pag. 182.

But to take it in the whole, it being a truly poised Government and mixed Interest, hath left so great a share in the People as serves to treat their *King*'s with, and be at all times able to gain conditions: And God forbid any Power should deny to the People's good; it can be no end of Government, and therefore he is not single or alone, but hath common consent in the great Interests of the Nation, changing or making Laws, or making impositions; He must have common consent to this, and this draws all the rest to it, since hardly any thing can move but by these two Interests; and this is the ballance of the Government, to make it hang equal betwixt *Prince* and People.

And the evils and mischief that sometimes redounds is from the abuse of it, not from the Nature of it, being the best composition of Government in the World, and the People freer under it than in any Common-wealth Government, which they call free Government; the Reason is a Secret till looked into *Physically*, that is this

this (best of all to be seen in our late, long, odious, *Parliament*), there all the People's Liberties were swallowed up, the People uncreatured as it were, no defensive, all in the *Parliament*; when as in the *King* and *Parliament* the People have a direct party, and a defensive, as there shall be cause, against any deprivation of their Rights.

There are some Signals of Kingly absolute Right, which need but naming, as the King's *Adviseray*, to Bills which he will not pass, which was ever effectual, as to a total condemnation.

So as here was no Power out of the *King*, all reduced to him in his last Power of denying, and likewise of pardoning. And this needs not plead any right for it, but right of Nature, in reason of Government, else without such a Power the *King* might be reduced to nothing. And a *King* never falls or loseth his Power, but he is lost in himself too: He does not retain *Kingly* Government but on condition to perish with it.

And therefore all Laws are styled of Grace, and petitioned for; because the People, till they are passed the Royal assent, have but a Right in Reason to them, not in Law; only from the Supream Law of *Salus Populi*, which is the comprehensive of all Laws.

The common mistake is, because the King cannot do such and such things without the Parliament, *Ergo*, The Parliament governs the King. Now, as to this, Many may be said to govern me, so as to restrain me, that I cannot go beyond my own Power, and yet this no active governing Power over another; this is the easiest thing to conception that can come into imagination. Is there not, where any Right is, which we call property, a power of denying? And this is all the absolute Parliamentary power, considered dividedly from the King; and this vast inconsequence, containing all the means almost to be King, unless the King would break throw it, which is the hardest task any King can go about; yet nothing of the Nature of governing power, no agency or efficiency in it by it self, but only a meer Negative. Because I am engaged in this consideration, I will resort back to the state of the Question, of a Parliament to be the highest Judge of the safety, or danger of the Republick: The Answer is direct, that the King is the sole Judge of the safety or danger of the Re-publick; as King he is only trusted,

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and there cannot be two such judging powers; for then there can be no determination, when they stand in competition.

Therefore all the Powers in the Kingdom act subordinately to the King, and not against or athwart the King's Power, for that were for a Being to destroy it self.

The distinction lies in this, that they have nothing to do with the King's Power, but the People's Rights; which they dispose of by the King's consent, and not absolutely at all out of themselvs.

In this they may oppose the King's desire; that is, they have a Negative Power, not to be compelled, or the People to be put out of possession without them.

But where the disagreement is, they are to acquiesce, and so nothing comes of it, and the King fails of his end; this is the height of their power.

Their Bills, which they are free to make, contain in them Grievances to be reformed, which implies complaint and consent; whatsoever the King cannot do by his quality singly as King, he doth by consent of the People; and that is the Character of a Parliament, the People; for it directly represents the Universality, the People; and hath directly and truly no power but what is nationally and naturally the People's, so as look upon that, you find this, and no difference at all in it; hence consenting and denying, giving, aiding, being natural properties of Rights, are left to them, as the People in them: And this, though great, as to all the means of governing, it doth not come near it; so vast a difference is betwixt being free in mine own, and having Power over anothers, as no reason needs to be given of it.

Nevertheless, the King, as the common Interest, is not to be supposed deficient of the Publick means; that were unnatural: therefore as to Government it self, all means are lawful; nor any thing so concerning to the People, as to keep the temperament; for when they destroy that, they lose the means to their own good.

I might leave it here in its causes, but I shall say something by way of President.

Queen *Elizabeth*, the greatest Courter of her People, and yet the best Governour, would lose nothing of her Prerogative; she did

did every thing with her Parliament as with Subjects; they knew their own business, and she would keep them to it; and abundantly the better for their obedience, for every thing is good or evil as it is governed.

Not a Fast, or Humiliation day, or Preaching, as learned Mr. *Prin* hath given the recital of it, that they could set up for themselves, but she would check it, and bring them to Humiliation for it. His Plea for the Lords, p. 409.

So dangerous a wise Prince sees it, popular liberty but to begin to creep out. They had essayes upon her about Marriage: she would not admit the pressure upon her, nor suffer them to be Judg in it.

Then after, that of her Successor; that went nearer to her, a pinching thought, and in this the repulse of them was harder, because apparently did depend upon it the safety, or danger of the Kingdoms after her; yet in this, she was resolved 'twas too precious to her to part with it to them, kept it to the last hour of her life; when she could live no longer, then she declared a Successor, imprisoned their Members that promoted it, laid absolute peremptory command upon the House against it, at other times imprisoned their Members, and would usually tell them, when they exceeded, that it was in Her to give them being, and to dissolve their being, and to assent and dissent to any thing done in Parliament. This from the best and wisest of Princes; well knowing, that it is not possible for a Prince to be just to the People, without true obedience from the people. *Camden's* Annals, Elizb. *Pryn's* Plea for the Lords, p. 410, 411.

King *James* his time, by some Passages then in the Parliaments, will shew us the difference betwixt Regal Right, and Parliamentary Right. Parliament 5 *James*, the Earl of *Salisburyes* words to a Committee of the House; That matter of War or Peace, was *Arcanum Imperii*, and must be kept within the vail; nevertheless that sometimes, Parliaments have been made acquainted with matter of War and Peace, in a generality; but it was upon one of these two motives, when the King and Councel conceived, that either it was material to have some declaration of the zeal, and affection of the people; or else when the King needed to demand monies, and aids, for the charge of the War. The Earl of *Northampton*, at the same time, another of the Council of State, that Dr. *Rawley's* result from Sir *Francis Bacon*, p. 38, 39.

both by Philoſophy, and Civil Law, *Ordinatio belli et pacis, eſt abſoluti Imperii.* He further reaſoned, That the compoſition of the Houſe of Commons was meerly Democratical, and intended to have a private and local Wiſedome, as to the places that ſent them, and not fit to examine ſecrets of State, which depend upon variety of circumſtances; and although there be divers Gentlemen in the mixture of the Houſe, that are of good capacity, and inſight in matters of State, yet that was the accident of the perſon, not the intention of the place; and things are to be taken in the inſtitution, not in the practice.

The Parliament of the 18th of King *James*, was a Parliament of conteſt and diſpute; and held out long by an able King, and a ſevere People. It was an effectual Parliament as to the granting of Subſidies, and reforming abuſes, yet in the end thrown off. The evills that it had to work upon, were the evils of Peace, and making danger of Religion a Monſter; and looking at it through the glaſs of their own Paſſions, would dictate extreams to the King about it, and the *Spaniſh* match formidable; and the Kings unkindneſſes from Parliaments, had put him upon petty helps, as livelihoods, Monopolies: about thoſe bred no breach, but was matter ſerved them to work upon, and wholly put to them, and the perſons offenders in it expoſed, and the King himſelf a chief actor to ſuppreſs it: And to pull down the Chancellor *Bacon* for Bribery, was their work; yet at laſt, it had not a legal end of a Parliament, but diſſolved by Proclamation, and Crimination. The King enforced to this: for this King never acted to publick offence by his Paſſion, but meerly his neceſſity. Therefore I ſhall reſort back, and take ſome remarks and paſſages of the proceedings along with me, to find where the ſtone of it was.

After the matter of the puniſhments were over, the great and high conſiderations, as for diverſion of the Match with *Spain*, and declaring war againſt that King for the Palatinate, and new deviſed preſſures upon Papiſts, and preſſing executions of Laws upon them; ſo as they involve all the Kings Intereſt into their hands, under the notion, that it was the Kingdomes Intereſt. The King hearing of this, and it beating thorow his ſides, betakes himſelf to high reſolution; and to prevent the prejudice of receiving it formally from them, writes thus to the Speaker.

Theſe

These are to command You to make known in Our Name unto the House, that none therein shall presume henceforth, to meddle with any thing concerning Our Government, or deep matters of State; and namely, not to deal with Our dearest Son's Match with the Daughter of Spain, *and also not to meddle with any mans particulars, which have their due motion in Our ordinary Courts of Justice. And whereas we hear they have sent a Messenger to Sir* Edwin Sandis, *to know the reasons of his late restraint, You shall in Our Name resolve them, That it was not for any misdemeanor of his in Parliament. But, to put them out of doubt of any question of that nature that may arise among them hereafter, You shall resolve them in Our Name, That we think Our selves very free, and able to punish any mans misdemeanors in Parliament, as well during their Sitting, as after.*

Their Answer by way of Petition to the King: first Palliating over, and with the manner and inducements to go upon such things, they have these words; *In the discourse whereof we did not assume to our selves, any power to determine of any part thereof, nor intrude upon the Sacred bounds of your Royall Authority; to whom, and to whom only, we acknowledg it doth belong to Resolve of Peace and War, and of the Marriage of the most Noble Prince, your Son; but as your most loyal and humble Subjects and Servants, representing the whole Commons of your Kingdome, who have a large interest in the happy, and prosperous Estate of your Majesty, and your Royal Posterity, and of the flourishing Estate of Our Church, and Common-wealth; did resolve, out of our cares, and fears, truly and plainly, to demonstrate these things to your Majesty, which we were not assured could otherwise come so safely, and clearly to your knowledg; and that being done, to lay the same down at your Majesties feet, without expectation of any other answer of your Majesty touching these higher points, then what at your good pleasure, and in your own time should be held fit.*

Now if we do but make a breathing space, and a stop here, or being like getting to some heighth of ground look about us, certainly it shews, that no Supremacy is pretended to, but utterly disclaimed; and all resolving, determining, or the last power in business of Government; and no persons can come lower, or assert more extreamly, and exemplarly against themselves in any such point of Right. So as we see plainly, Governing Power is all with the King; and the question comes to be only about propounding, pro-

poſing, diſcourſing, upon thoſe high points of Regal power in Government, not being ſpecially required to it; which Kings think, comes too near their skirts, like *David*, cutting off a lap of King *Saul's* Garment, to ſhew only, that he was in his power; ſo Kings think the one cannot be done, or aſſumed, that is entering into, or aſſuming out of ſelf Authority, to treat of the very eſſentialls about Government, or the great weighty occaſions that refer to it, but like the cutting off of the lap of the Garment, begets a power over the perſon; and this was the very ſtone of difference in this Parliament; ſo as we ſee to how neer a point it is reduced, a little ſpace or difference, one would think, betwixt propoſing only, without power of reſolving, and not propoſing; now there is nothing more ſatisfactory then the Kings own anſwer to them about this; for no perſon could ſpeak his buſineſs ſo well as himſelf, and this very particular of the paſſage, it is a School of Learning. Now becauſe I will not altogether write out of another, nor be tedious, I omit it: It is no matter, let it be amongſt *arcana imperii*, not to bring all into vulgar light, elſe the reaſons might be abſtracted why Parliaments are not of themſelves to aſſume to treat of the points proper to the King in Government. I ſhall leave this, and only excuſe my ſelf in it, being far too high for me, that I only do it in the defenſive to regal Right, which is higher, and to the peoples right, which does not conſiſt in confuſion of Government, but in the certainty of it.

Having done with this high conſideration, I ſhall take notice of his dangerous inſerted words, of *Majeſtas Realis*; the ſelf ſame as condemned in the *Spencers*, in *Ed.* 2. his time, and likewiſe in the following Parliaments of that Age, for the moſt deſtructive deſign againſt the perſons, and ſafety of Kings, that ever was imagined. A dividing of the Kings perſon, and his end of Governing; they would have the Majeſty to conſiſt in the end, and ſo diviſeable from the perſon; and ſo the King might be depoſed and deſtroyed, and yet the Majeſty whole. What will not mans brain hatch, when he is diſpoſed to be wicked? This was new forged, brought out of the Mint again, and begot the Notion, of Treaſon againſt the Common-Wealth, and ſerved to make the King a Traytor. I deſire his patience to read Sir *Edward Cook*, 7. Report, *Calvins* Caſe; there he will tell him that all Allegiance is tyed, and refers

10. 7. Rep. *Calvins* Caſe.

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to the person of the King; that the whole consistency of Majesty, and Kingship, must be in a person in being, not to hang in the Ayre, as an accident without his subject; all Relation, all Attributes, all Majesty, are but rayes from that body, dividedly from the King, can be no consideration at all of Treason, or Majesty; this Serpenti e way of creeping betwixt the Kings person and his Authority was a device to destroy him.

Object. *When the Legislative Power, and highest judicial Tower, is by the constitution of the Government, divided between the Prince and the Senate, and so the Soveraignty divided, many will be ready to think with* Grotius, *de jure belli Lib.* 1. 13. *pag.* 91. That the Prince invading the Senate's Right, may justly be resisted, and may lose his Right: *quod locum, saith Grotius, habere censeo etiam si dictum sit belli potestatem penes Regem fore; id enim de bello externo intelligendum est, cum alioqui, quisquis imperii summi partem habeat non potest non jus habere eam partem tuendi; quod ubi fit, potest Rex etiam, suam imperii partem, belli jure amittere.*

Answ. These parties will still stumble at the same stone; that is, because of the Legislative power, in some sort, or manner, or form of it, in the Parliament, therefore the Supremacy: which does not follow, for the Supremacy is the sole Governing Power, and Government is a constant being, the other but at times, and by occasion; so as no proportion at all is betwixt a constant governing Power, and an occasional Power; and when they are demanded but about their own Rights; it being planted in Nature, that where Right is, there is a power of denying, and a power of giving, yielding, and consenting; and this is the Parliamentary power properly, and *per se*, all which arises out of the Rights, and property of the People meerly. Now these persons will not discern the difference betwixt the power of consenting (which must needs be likewise a power of denying), and active, efficient power, which is in Government it self, and is alwayes constant and universal: It has the properties, as the Soul in the Animal, cannot have parts in it, and dividedness, or to discontinue.

Now they introduce this their objection with a *When*, when it is so, that is, the Soveraignty divided; they should prove where it is so: I think not in nature of two Soveraign Powers in one Government: certainly this is no Government, but distinct Governments; and

and how it can refer to one people governed, requires the inquisition: for when they stand upon terms of difference, then the Government presently is in the state of War, and none to reconcile it, being equal divided Powers. Rights may lye so, but Governing Power cannot lye so; the distance is the same as betwixt two Forreign States, or Princes, who may reconcile, and accommodate their reciprocal good so long as they can accord upon it, as well as these several distinct Powers in one body; and in this, either party upon the difference, betakes himself to his defensive, and then the Government ceases to be; so as it is not at all consistent with the nature of Government, but of Governments, in respect the one of the other.

All Governments are either Monarchial Governments, or mixed Governments; now in Monarchical Government, first it supposes absoluteness of Supremacy in the Monarch or Prince, and then it cannot suppose it likewise in any other, for then the Government should be a Monster of two heads; and besides, so cannot act, the Powers in counterpoise being equal, and so it is no Power, but a Power of destroying it self; as equal contraries when they meet, are destructive to the matter that is the subject of them. Peradventure some instances may be found of some that have been called Kings, and have been but head Members of Commonwealths, and such, their safety and being is to act subordinately to the Powers of the Common-Wealth, not above them, for so presently they should perish, having no power absolute to defend them; so as we see directly, it must be one or other, either Subordination, or Supremacy entire.

That must needs be a strange Government, where the Soveraignty is divided, and lying in divers Powers, when they differ, the people distracted in their obedience, not knowing where to obey to, but made to follow the lusts, appetites, and injustice of either party, as it gains power, and not certain to retain it. Therefore there is a Law amongst our Statute Laws of *England*, That the subject shall be secured to fight for the King in being. This meerly from this reason of avoiding the mischief the Subject is put to, by a divided commanding Power; this Law, though a gross one, and against truth many times, because Usurpers did possess the Throne, yet for this reason preferred, and not yet destroyed; though the Sword was too hard for it, as for all things else.

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It is to be obſerved, that there is no Government without a mixture, which makes Rights in the People; God himſelf doth not govern the World otherwiſe ſo, but that he gives the People Laws both for their direction and conviction; for it is, in ſome ſenſe, that the Law makes the offence; and beſides, otherwiſe all muſt flow from the King as Water continually renewed out of its Fountain, and the People not know whom to obey, nor ſubordinates how to act; ſo as mixture in the Government makes no Argument, it being of neceſſity to all Governments.

And as for taking up Arms, and fighting for their Rights; Right and right of defending holds not againſt Government abſolutely. His next.

Object. *If a Prince engage either hired Strangers, or Fugitives, or home-bred Delinquents, or others, to riſe up againſt the Senate or People, either it is lawful to defend themſelvs by Arms, or not; if not, eſpecially if they have a ſhare in the Soveraignty, then is his Power abſolute and unlimited, and neither Laws, or any thing below, are any ſecurity againſt his Will to the common ſafety.*

Anſw. The Ages that follow ſhall be very little beholden to Mr. *Baxter*, to let them know the true ſtate of a buſineſs of the higheſt and moſt horrid importance that ever befell *England*, far excelling in accurſedneſs the inteſtine War betwixt the two Houſes of *York* and *Lancaſter*, becauſe it hath deſtroyed our Form of Government, and all Title to Govern; which is an unhappineſs upon a People above all evill whatſoever, Uſurpation being a continued ſource of evil.

I admire he can be ſo little ſerious in it; This of his ſeems no more, then that the King raiſeth wicked Forces to deſtroy the Parliament; and a Queſtion meerly, Whether or no they ſhould defend themſelvs.

There is a great Narrative and Hiſtorical part belongs to this, to ſet it forth; But it was not my end, but only ſo far as to anſwer his, and no farther.

In the firſt place, the Parliament made alliance with the *Scots*, diſbanded the Engliſh Army, to work their end upon the King. The King was taken in a Toyl of his own making, calling a Parliament, the Scottiſh Army being in *England*; and now both Intereſts claſped him, that he had no means left him to get out of it, but

but to break thorow it by force, which he despaired of. They draw up a Remonstrance to the three Nations, to shame the King to the People, and make him odious; not the accidents of Government but are put upon the King's score; as if any Government could be without faults, and as if we should have been so much happier under them, under whom we have found the little finger heavier than the Loyns of Kings, and their whippings Scorpions to the other's Rods; an Instance taken from Scripture, and often applyed, but never truer than in this of our condition and suffering under them.

The Parliament once in, ruine was inevitable upon the King, never after was any wisdom or means useful to him; preservation is not always in our own Power, we have but the offer of it, which neglected or omitted, commonly the means turns to another Interest, and cannot be regained. The King did now, too late, strive by all manner of concessions and compliance, yet nothing would divert destruction that did fix upon him, like the poysoned Shirt prepared by *Dejanira* for *Hercules*, which once on, though he did strive to tear it from him, yet to no purpose; the venom and poyson, and fiery quality of it, did penetrate into great *Hercules*, and consume him.

The truth is, the King was dispossessed before he durst appear in opposition; all his Forces by Sea and Land, City of *London*, *Hull*, and Port-Towns, engaged against him; his own Ordnance and Arms to fight against him: He had nothing but the Interest of a King, and the pity of those few that did compassionate him, (the People generally poysoned,) to raise up any party for him, and fighting was but his meer necessity; for, as he said himself, he was sure to be the loser, because he had nothing but his own to oppose to in his own Kingdom, and his own People his Enemies. Yet further, no Concessions would serve, and Concessions were his fault and misfortune too; it comes to be the case of the King not to be trusted, and so the dispute grew upon the *Militia*; a word introduced, commonly treated, as if an ordinary thing, no less in it self, than the being of a King, who should have the Power. I may very well give it off here, because the case came to be, Whether King or no King.

This

This being somewhat of the active part, I shall speak now to the speculative part of his Objection; That *if a Prince engage either hired Strangers, or Fugitives, or home-bred Delinquents, or others, to rise up against the Senate or People, either it is lawful to defend themselves by Arms, or not; if not, especially if they have a share in the Soveraignty, then* (saith he) *is the King's Power absolute and unlimited, and neither Laws, or any thing below, are any security against his Will to the common safety.*

Now, in Answer to this, first it supposeth a Case that never can be, as a King to raise Forces to destroy his People, or any party of them; it can never be the case, that is, for a King to War upon his People in condition of Subjection; therefore it is ever the People's War, resisting the King, in his governing Power. It may be a case, that the *Parliament* will not dissolve, but defend themselvs by force, and this is a making War upon the King.

Now this being directly the Nature of a War betwixt King and Subjects, all the pretences to a defence are taken off, and the Question comes simply to be, Whether for other respects about the Government, any party out of the King may raise War. This must of necessity be resolved in the Negative, because it is not possible to fancy governing power with a power in the People, or any party out of the King, to resist his power; for then he should govern no longer than the governed party were disposed to obey, and so no Government at all; nor is it possible, in the reason of Government, to put a power upon the governing Power, and yet that to govern: So as no Argument can be made for resisting, because it is against Government it self.

But, saith Mr. *Baxter*, Then what assurance of Laws, all at the King's Will.

Now, the precise consideration upon this is, that the very Nature of the Government, and the King's Interest in it, binds him to the good of it: The Law saith, *Nulli magis tueri Rempublicam creditum est quàm Regi*, no person so believed to intend the good of the Common-Wealth as the King, his sole Interest makes it so; all others, as Subjects, have private Interests in them, and so have private respects, which commonly consists not with the publick; the King is the only publick Person of the Kingdom, who hath no reason or consideration of his being, but as King; without that, or

beyond that, nothing, his whole being placed in it; the publick is his private; and this very reason, in Nature of Government, making the Government the same with the King, is the full absolute cause of the certainty and good of it, and is as much as is for any thing in Nature, or any Being in the World, since nothing can be more assured than Self-Interest for the good of it. And therefore Kingly Government is the most certain Government, because there can be no end out of it, all contained in it; the good of the Government is the King's good, without any difference: Whereas in all other Forms of Government, the Persons that govern have particular ends, as private persons, and this is truly the Nature of it, never any reason can be for the abuse of Government by a King: It may be abuse upon the King's Government, but never out of any just end of it. So as it is the fouleſt mistake that can be, to suppose a King's Interest divided from the People's, and that he must be held in chains for the People's good and certainty of Government; when as the People directly lose all their good if the King want freedom of Will and Power to act. The People's consistency is meerly in the King's power; without that it were nothing, presently the Government grows seditious and factious, and moving in parts, when the Regal Power cannot retain it. And hence it is, that those Persons that pretend for Liberty and Power over Kings, are cause of Murders, and Massacres, of the People.

Nevertheless, if it be objected, that there are evils and abuses under a King's Government, yet not so considerable (especially here with us in *England*, where hardly can be any great grievance, the form of the Government being so equal) as to make War for them.

Government hath many hard things come into it, and extream difficulties; and the evils of it are out of the People themselves, stubbornly acting against the King, and repugning to the means of Government, and of Persons doing wickedly, and great Ones oppressing and having their ends by wicked means: Nor is it possible, almost in any Government, to have it so, that the ordinary People can be able to find Remedy against the Oppressions of great Ones, such as are wicked and turn even the Government it self into the means of it, and the King is the party most extreamly wronged

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in it; for all reflects upon the King, and yet it cannot be helped but in degrees, as things are subject to their accidents, and so far only the good of Government goes, and never to an absoluteness. Now, the manner is, that where the universality meets in *Parliament*, all is represented, and they complain, and supply the King's wants, and this is the great means to redress.

And if some hard condition in the Government cannot be got mended at present, yet extreams do never long endure, but return to the nature of the Government, they cannot hold out; so as we see, all excesses in Government are causes still of falling back, and reverting to its right temper, and commonly causes of pulling away something of the former with it; as ever, all violating of the grand Charters and Liberties are cause of binding them up, and taking greater advantage of the King.

A King can never affect to govern ill, but they may affect to have Power; for Power is not simply good or evil, but in the use of it: and to have treasure; and the People in Parliament, not complying, Kings are inforced to break out into extraordinaries, and it cannot be helped; for it is not to be supposed a failer of the means of Government, all must dy and perish before it.

King *James* in the Parliament, the 18th of his Reign, tells them, that in ten years he had not made use of them; and had he not bin all peace he could not have lived so.

When the War began, the contest was about nothing but that they would not trust the King, and were resolved to bring him below them, being an inexorable party; and cruelty growing out of Religion is of all other the greatest Cruelty: But the Laws and Rights were just the same as in all times formerly, no alteration as to the great Interest of Regal right and the People's Rights, which shews it is not alterable, that which no time had wrought upon, and all accidents had in all those ages and times come into it; of so durable matter is the Government, as no fear ever can be in it, as to necessitate Arms of the People to vindicate it.

The People themselvs are the only destroyers of it.

Nevertheless, though a King may seem all Power, yet naturally and necessarily all Government involvs it self into the consent of the People, and all Power comes out of them; so as we are to see where the Interest of it lyes, not meerly in the King's Will, who is

ried to more neceſſities than any other; ſo fooliſh it is to think, that though they have the Power of governing, they have not the natural reſtraints and neceſſities of Government upon them.

We are at laſt to conſider the infinite miſchief of a Civil War, and the ſtrange danger the People run into, the greateſt and moſt devouring Gulf that is in nature, a body deſtroying its ſelf and ripping out its own Bowels; for it is all-acted within the body it ſelf, and the People know not whether they ſhall ever return to their Government again, but live under perpetual Uſurpation and Rebellion, which utterly deſtroys a People, to fall and live under the King's deſtroyers; for Uſurpation is all wickedneſs, and all miſery, and all force, and cannot be amended ſo long as it ſtands in reſiſtance; ſo as if poſſible, the People's Intereſt is to get out of it, and come under their Government: And it is ſo far a King of *England*'s cauſe, that hath no military Power in governing, as he will never inforce the People beyond Subjection, which is their beſt condition: The very end and deſign of the Government being to keep down the great Monſter of it, that threatens it; ſo as on neither ſide it can be imaginable, that Rebellion ſhould ever be the People's beſt good, remedy, or neceſſity, which is pretended for it, when it is acted, being ſo wicked and unlawfull in it ſelf.

Therefore we ſee it is ever, either of the People pampered with Peace, and know not what belong to War, or judge not of the good of Government, though they have it but in ſome degree good, or elſe are cheated into it by Treaſon in a party deſigning other ends.

And the Vulgar, the Character of them is all folly, and evil inclination, as mis-judging and to be unſatisfied, ſo as never any condition makes their good under Government, but when it is utterly out of their own Power.

Now the evil and deſtructive miſchief of Rebellion, as all accidents of deſtroying and oppreſſing come into it, muſt needs prove the unlawfulneſs; for wherefore are things unlawful, but as they in their Natures are wicked; & Rebellion being of all cauſes in nature the greateſt cauſe of Wickedneſs, muſt needs be the greateſt unlawfulneſs.

We

We are a little further to consider of the difficulty of Government in its self, how many things naturally oppose to the good of it, though the common good of all the Members is placed in it, yet the most in their particular good or profit, would act against it, or some prejudice to it; as every unlawful acting is against it: besides, all the dangers that come into it, and difficulty to the means of it. And some King's Governments, naturally as it were, though from accident, are obstructed with difficulties and dangers, which they must still over-come or else they perish; so that the best that ever I could discern in it is, for a *Parliament* to help the King, as much as they can possibly to the good of it: And a King of *England* his necessity will ever bring him to meet the People in *Parliament*.

And still let it be noted, that resistance out of a *Parliament* makes no difference at all; for it is rebelling still against the governing Power, and most destructive when it shall pretend a lawfulness in another power.

I shall come now to the King's own acting, Did he not deny his own Prerogative about Ship-money, and all other extraordinaries? Regulate the Privy-Council, and take away the Star-Chamber, High-Commission-Court, dissolve the great body of the Bishops out of *Parliament*, to please the House of Commons? Establish a Triennial *Parliament*, pass against his Judgment and Conscience the Act for condemning and executing the Earl of *Strafford*, and after grant them perpetual sitting against his power of dissolving? Did so much to his own preserving, that he gave away the means of his preservation, and wrought his own ruine by it.

The like he had done before in *Scotland*, restrained his Royal power there, rewarded the very Rebels, and against nature, justified their Acts of Emnity against himself, and declared his own party guilty.

I have set forth this, to shew the nature of Kings in this their condition, and in relation to the People, and wherein a King's Interest consists; that is, not to fight for his own which by peace he possesseth; and likewise it disproves them about the War it self, to prove the Injustice of it on their part, nearly affected to destroy the Government, and to decline the King.

To

To shew what compliers Kings are to peace, we ever see all Kings style their People, *their good People*, most when they fear evil from them; treat them by all possible means of satisfaction and lowly tearms; send forth Proclamations to purge any evil apprehensions of the *People*; awed even by the very thoughts of the *People*; such is the nature of Government to implant fear in Kings, which is their great Governour.

Henry VIII. the veriest Tyrant in his nature of any man that ever was, yet his Government as to the Commons was good; he acted cruelties, beyond any other King, upon particular persons of the great Ones, whom his Jealousy did reach to: In his Government good in general, and declined all things of breach with the *People*, though he seemed absolutely to command them.

'Tis true, There are no *Princes* so stout as those who are most just; as Queen *Elizabeth*, with her sure ground of goodness to defend her, kept her *Parliament* and *People* at greatest distance from encroaching upon Royal Authority. King *James* had innocency and worth enough in him to vindicate him still; and the truth is, if the *People* could but weigh and penetrate into the exigencies and urgencies of State Interests, how hard a thing it is to do but indifferently well in the Work of Government, as to the People's satisfaction, they would not seek to take advantages of Kings, and hold them to extreams; and can never have any good in the nature of it, for the misfortune of the King ever returns upon the *People*,

It was not possible for the *People* to know their own Happiness under the Government of former *Princes*; and it is a Blessing man never is endowed withal, to know the measure of his good whilst he enjoys it; and this is the cause that they prize it not, but throw it away, and wilfully bring themselvs to misery.

King *James*, in whose time the *People* had nothing to do but laugh, and play, and follow their own Interests; no great Taxes, not the half as of Queen *Elizabeth*, as for the time; no fear upon the Nobility, no fear or danger from the *Prince*'s humour, Religion perfectly *Protestant*, the King himself the great owner of Interests in the reason and science of them; yet the *People* most ungrateful, no more satisfied than if they had been under a bad Government, tired out with their very peace: It is his own words to them in the

the Parliament, 18. of his Reign, *We indeed find by experience, that a number of our Subjects, are ſo pampered with peace, as they are deſirous of Change, though they know not what.*

This happineſs continued in the ſubſtance, though not in all circumſtances, till the people themſelves deſtroyed it, ſo as they acted their ſin and their Plague in one.

We come in the next place, to that wherein he betraves himſelf, to the utter overthrowing of his Cauſe, which I foreſaw he would do at laſt.

Object. *If the Souldiers muſt know beforehand, that if they do purchaſe a Victory by their bloud, when they have all done, they muſt be Governed by him whom they have conquered, and lye at his mercy, they would hardly ever have an Army to defend them; for who would do the uttermoſt that is poſſible to exaſperate him, that he knows muſt rule him when all is done?*

Anſw. If this be reaſon with Mr. *Baxter* now, why not at firſt? What Faith could he have in his Covenant, which he deſtroyes by a Principle in his underſtanding? We at firſt looked upon their pretences as for King and Parliament, and all their Vows and Proteſtations, but as ſo many charms only to deſtroy the King, becauſe by other means they could not delude the people; and now he confeſſes it, concludes, and conſents to the reaſon of it; that an exaſperated King is never to be truſted again with his power over thoſe that ſubdued him; by this he deſtroyes his Covenant, his Cauſe, and the whole; onely that ſerved then, and this now.

To drive this further, becauſe Mr. *Baxter* declares himſelf ſo in it, as he can have no retreat out of it: Firſt fight their King, ſubdue him, be Victorious upon him, make him Captive; then kill him, according to the Kings own ſenſe and ſaying when he was in that condition; That there were but few ſteps betwixt the Priſons and the Graves of Princes.

Now Mr. *Baxter* makes it his very Argument for the death of the King, and ſo involves his whole Cauſe and Party in it, has deſtroyed all difference and diſtinction, and makes the death of the King natural and conſequential to the firſt of warring upon him. We ſee here how naturally falſhoods betray themſelves out of their own Arguments.

I ſhall not paſs by the inſolency and impropriety of his ſaying,

Conquered

Conquered the King; If Mr. *Baxter* were skilled in the Laws of *England*, which is out of his Element, he would know, that there can be no such thing as a Conquest of Subjects over their King; it is desertion, or Treason, not Conquest.

If he consult but nature, it will tell him, that that which is the proper strength, existency, and being of any thing, cannot be said to conquer it, no more then any thing can be said to conquer it self; the being ceases to be, if the essentiall do but divide from it. Nay the voice and reason of our Laws would never call them Enemies, but Traytors; Enemies implyes a kind of equalls. He saye:

Cook 3. Inst. p. 12.

Object. *It was the Judgment of the Parliament upon the division.*

Answ. Upon their division, their dividing from the King, their Judgment was nothing, but as private persons, or wicked enemies; all Subordination depends so upon its first Cause, as dividing from that, the beeing ceases to be.

In the next, you shall observe Mr. *Baxter* over-rule Scripture to his own sense, as he hath dealt in Politicks.

Object. *And that those that did resist the Higher Powers set over them by God, are guilty of the damnation of resisters.*

Answ. This of Higher Powers here in Mr. *Baxters* meaning, is of those that raised the War against the King, that they were the Higher Powers not to be resisted.

Now I have not met with a greater violation of Scripture then this, to make it a meer contrary to its self, and destructive to the end it serves to, not only indirectly, but oppositely. This Scripture proceeds from the Spirit of God directly for preservation of Kings, and Mr. *Baxter* applyes it to the Kings destroyers, makeing them the meer object of it, in the act of destroying the King.

I have driven it thus home, to fix it upon observation, what a strange degree of falsifying, and abusing Scripture in it, and the horridness of the example, and consequence of falsifying grounds, and rules by which truths should be measured, and creating false conceptions which are seeds of all wicked actions.

Now to clear out this more fully and directly, past exception: there is not one word or syllable in Scripture Doctrinally, of any Power

Power or Authorities, since God Governed by his Prophets; but still generally, the intendment is of Kings, and no other Form of Government owned in Scripture, or ever intended; that being only natural, all Power consisting in unity of Power; and evermore the Powers are intended as part of the Kings Power; for there is no fraction in Government, supposing it a Government; so as all Power is ever but the Power of the chief Power.

So many signalls upon Kings, and Guards for their fence and safety, because if the head fail, all the parts and dependency of the people must needs dissolve.

And here I shall take up again his words; *no more to be trusted with Government.* A Speech of great scorn, and contempt upon Kings, to make them the people's Servants, and at their dispose, to turn off when they will, and to destroy; and deriving no higher then out of the Peoples trust, their beeing still but a depending beeing, nothing being higher in nature then its first Cause; and upon this basis they plant their Engine for pulling down, debasing Kings, and casting them into their Graves.

It is good therefore to see the relation that Kings have.

For so much as we see immediate of God in it (which is not ordinarily in the things of the World, but limited to the chosen people, and when he appeared by his Prophets) then most manifestly the Kings, or at least the first Kings (which shews the nature of it, and right of it in all) was from God, leaving out the people at all in it, to have any share in it: All this legible in *Saul*, *David*, *Solomon*, and in the removes of Kings by Gods special denunciation, and sending by his Prophets: The people the Executioners in some cases and circumstances; so as there is no footstep or mark from God of the Peoples title over Kings, or their making them, or giveing them their power. This in God, special, and appearing proves in all, shews the nature of it, for that which we see was done, and of God, and freely done, and at first when no accident had been, (so as it was a meer promulgation out of nature, and proper to the nature of it) must needs be held certain to it, and most reasonable to conceive of it.

Corresponding to these are the Texts, *There is no Power but of God, the Powers that be are ordained of God*; this referring to Kings, for the words are after, *For Princes are not to be feared for good works,* Rom. 13. 1.

but for evill, and he is the Minister of God; Power, as Power, is properly of God, who is the Power.

Chr.1.9. *Thou hast made me a King over a People.*

x 11. *That thou mayest Judg the People over whom I have made thee King.*

Sam. 16. *I have provided me a King*; still pointing out his End, and his
er. 1. Author.

The Texts are many more, and clear it beyond all doubt, or objection of man; that Kings, as Kings, are Gods Creatures, and derive not lower then from God himself, as immediate to him.

Now because this was of the Jews, a peculiar people to God, we will see what evidence the Scripture yields in case of Heathen Kings. *Nebuchadnezzar* an Heathen, and Idolater, was owned by God as his Servant.

Jer.25. 9. *Nebuchadnezzar*, my servant.

Isa.45. 1. And thus said the Lord to *Cyrus* his annointed.

Which is the highest emblem of Soveraignty, annointing, attributed to *Cyrus* as King; that is, that he had it vertually as King.

Ezr. 1. 2. And *Cyrus* King of *Persia*, *The Lord God of Heaven hath given me the Kingdomes of the Earth.*

And *Daniel* most full, the Pattent of the King as extensive to all Creatures and Powers under him.

Dan.1.ver. 37, 38. *The God of Heaven hath given thee a Kingdom, Power, and Strength, and Glory, and in all places where the Children of men dwell, the Beasts of the field, and the Fowls of the Heaven, has he given into thy hand, and hath made thee Ruler over them all.*

An Illustration of Gods dominion over all Creatures, and acting by Kings, his immediate Vice-gerents; to the end of the 5th chapter of *Daniel*, being nothing else then Gods clayming his Title over Kings, as derivative from God, and accountable to him.

Now all this is from the great end in nature, that Kings being to rule the people, which is Gods proper Office, and Attribute; all Power, and all Dominion, and all Providence being his, they represent God, and are his Image, and Effigies in Ruling and Governing: and this makes their dependance to be meerly of God,

and

and not accountable to any Power under God.

The nature of it is shewed in that of *Saul*, as being the first King to the Jews, and being the institutive of it, comprehends the nature of it.

The person was meerly of Gods choice, not left to the people, nor any power left in them, much less over the King.

In that day shall they cry unto the Lord, sayes the Text; That is, no power to be against the Kings Power, but an appeal only to an higher Power; that is, to God himself, his Author and Founder; they might complain of him that was set over them, but had not any Authority of their own over him. 1 Sam. 8. 18.

And this makes it in its nature to be the greatest trust in the World, because there is no remedy against it, contrary to Mr. *Baxter's* sense, abusing the Term, making Trust, subject.

The reason of this absolute subjection of the People to Government, lyes in the nature of it, that no medium can be found betwixt power of Governing, and liberty in the people as not Governed; to be subject only to the good of Government, is no Government at all, or to be subject at all: therefore of meer force, from its nature, it leaves nothing in the wills of the people; so as no such mean, or half being of it can be, by any constitution, provision, or Policy whatsoever, when it comes to Govern, all those things, though part of the Government, yet come under the governing Power.

Now for the Originals of Ruling Powers ordinarily amongst men, as to the persons ruling in such a Line, and Succession; we shall find it to be still from a first Power, before it came to Governing Power; the one introductive of the other: for Power is its matter and nature; for we see all Government is Power, and the Power will govern. Therefore equivocally the terms and names are used; sometimes calling it the Government, and sometimes the Power; so as it is the same, and signifies the same thing; inseperables in nature, Government and Power: no remove can be in it; for where the Power is, there the Government will go along with it.

Hence it is that there is never any discontinuance in governing Power over the people. In the most confused tumultuous War,

and distraction that ever was, yet there is power still somewhere or other, that contains the peoples liberty, and subjects them; so as there is not one moment, or minute of time in the World, where society and community of man is, that there is any *vacuum* of Power to be over them; and although powers devest one another, yet the Series of governing Power is still continued; and in all such removes of the Powers, yet the Power never falls, but is kept alwayes up, and is in some still, and is as inseperable from the People, as the matter and the Form, which never are asunder.

For that which we call Power out of the People, it is not the people, but a Power acting upon the People; and in such a circumstance of it, if it become too powerful for the Government, then it becomes the Government it self.

Now having shewed thus the nature of it, it destroyes all those imaginary Theaters that they would erect and build popular liberty upon, and popular right over Kings.

They would fancy governing Power to be of the wills of the people, and the people the Author; so impossible an assertion, as I only leave it upon what I have stated, and how contradictory it is to nature in all consideration of it; so as still the people is but the subject matter of Government, never the Author of it, nor does Government ever come below the people in the cause of it, but must derive out of its own cause, which is power to be above the people, and so in all end and acting of it.

All this is still to explode that Monstrous conceit of the peoples instituting the Government; or more Monstrous consequence of it, the people as the first cause of it to dispose of it, and destroy it.

It is observable in Government, that Laws and Liberties come afterward to the people, after power of the Government it self.

In the *Norman* Conquest, all lay flatted some time under it, till afterward (as the Reporters of those times tell us); that the party of the Conqueror, or their Posterity, did revive the *English* Liberties: first the Conqueror's absolute will served them to expel, and dispossess the Natives, and after they were glad of establishments in Government, to assure their own condition, and what they had gained.

So

So as hereby we see Governments, the farther they go on from their beginnings, the more they take in of composition to their first single Nature; so as still the Originals of Government are most absolute.

Hence it is manifest that *Power* is their Fountain and first cause, as such is their Natures, and the *People's* Freedom still is under Government, and when Government is most confused then is their Freedom least; so as still *Power* is over them, and are alwayes subject to it, let the Form of it be what it will.

To consider it in common Reason and Understanding, the King took his Being from the *People's* Trust, in Mr. *Baxter's* sense; therfore the *People* are to dispose of him: This were for the People not to be governed, for then the Right were in the People, and the *King* betrayed to govern under another Authority to make it accomptable. Therefore this supposeth a Monster in nature, and it would evermore make Government destructive to it self, for then it doth not govern; for where the end and ultimate of Power is, there the Government is.

I shall insert something that is legal in this, pertinent to the Case of the *King* of *England*, how he comes to be King. Sir *Edward Coke*, that was a man popular enough, in his third part of his *Institutes*, pag. 7. saith, That there is no such thing of the Kingly Being in *England* as an *Inter-Regnum*, nor any Act confers to the making of the King, but instantly by the descent of the Crown to the right Heir, he is King. This his, and more, there expresst. And indeed, no worldly Power can dispose, alien, or transfer the right of the Crown. King *Edward* the sixth before his death would have setled the Crown upon his neareſt Kinswoman, the Lady *Jane Gray*, Wife to the Lord *Dudly*; his Sister *Mary* being of the *Roman* Church: and the Council and Peers swore to this in his presence, and he dyed. Now, what the effect? Only to make them all Traytors, and no other right in it.

Parliaments have declared for Titles, but never can make any, nor deprive Right. It is true, divers Usurpers have had *Parliament* Test for their Warrant, for those have most need of it, but still it was acted under power enforcing, and so it was nothing but mearly so long as the *Power* lasted.

Usur-

Usurpation doth not come into possession without power, and it draggs *Parliaments* after it, and deprives all reality, but meer Hypocrisy in all that is acted or pretended to, by *Parliament* or *People*.

I have no more now to consider of, than of the Right of *Kings*, having spoken of their Original Cause, *Power*, *&c.*

Now, this first is generally from the great end of it; that is, Government; which, as Government, is ever good; good, as Government, though it may be an evil Government: nor can any failings in the particularities so over-rule the common good of it, but still it hath good of Government in it.

But this comes not to the Question of Right in the person which we are to inquire.

Certainly it cannot be Conquest which is only a great Riot, and multiplying of Rapines and Man-slaughters; it is all Wickedness which is only distinguished from common wickedness as it transcends all other actings of wickedness; and such is the nature of Conquest by excess of wicedness, to make it self above offending and punishment.

Then it cannot be in submission of the People to it, being first conquered still before they consent; and if they partly resist and gain conditions, yet it is in respect of the power, which is cause of all the following of what nature soever it be. And it is not possible that any one can receive a Right from his doing wrong.

Some suppose upon the future settlement and equability of the Government established Title may result, yet still all this is after the power, and cannot imply in any kind a not Being of it, being first supposed absolute, at least not their condition to resist it.

Besides, in the Case of a former Right, the Peoples consent cannot evacuate a right in the former *Prince* outed, or his posterity.

Now that it appears directly, that none of these things make right, or are of any force to it, it is cleared by this; that if the outed *Prince* can recover and regain Power, these things vanish as unlawful, and as wicked consentings and compliance; and so long as the old Right can possibly retain its self in memory, add but power to it, and it is ever unquestionable.

One instance with us in *England* of sixty years discontinuance; yet when it recovered power to act, all the Usurpation went for nothing,

nothing, and the old came in as Right, not as Conqueſt.

Where yet ſhall we find it? Nothing but the Old extinguiſhing by long continuance of the latter, and that becoming natural, and conſent goes with Nature; ſo hard it is to the Titles of *Princes* and ſo precious to the People to retain them, and ſo dangerous to loſe them; And all the Intervals filled, and taken up with the uncertainty of Government, and all the accidents that attend want of Title.

Therefore, ſince only time, and long time, makes unqueſtionable Right to Princes, it is of all Rights or Titles the hardeſt to be attained to, and muſt be moſt abſolute, ſince nothing but Uſer can give in its Authority; therefore it is moſt unqueſtionable, venerable, unchangable, independent of any other Cauſe, and ſo under no other power, and never falls but with the ruine of the People.

And this is a high perfection of Kingly Government, ſince no other Form of Government can have this precious thing, Title in it; that is, Right in the Perſon, which is the Cement of Government, and half the means of it; and conſent goes along with it whereby all the People act ſubordinately, and this makes it eaſy and without force, becauſe of this tacite conſent of the People to it; for all operation of the Soul is but conſent, conſent is the genius of the Government by which it acts, and all the People, and all common Intereſt doth center in the Right of it, and find their reſt.

And now I have done with the Argument.

I have only ſomething of Obſervation from the natural effects of Rebellion, and deſtroying rightful Government, as we ſee it in ours: Now, the Work is done, and all in the Power of the deſtroyers; What comes of it? Two very natural and great effects; the one is Wickedneſs, all manner of wickedneſs, impieties, falſe Religions, Cruelty of manners and actings, multiplicity of Tyrants; having deſtroyed the great Tyrant-Government under a King, as they called it, all perſons that get Power, act as Tyrants: Multitude of Tyrants out of the People themſelves, acting wickedly in all parts, Cities, and Towns, where moſt Intereſt of the People lies; ſtrange Principles in profeſſion and opinion, and deſpiſing rancks and degrees of perſons, and of Kings, and Supreams, and bringing all into a contempt and baſeneſs, againſt order of nature

ture, and nature of Government, which consists in difference, and degrees, and subordination. To follow this subject of our present condition, what a Monster *England* is become, no such Copy of it in the World? It must be all written and taken out of it self; the strange infinite forms of Wickedness both in Faith and manners, base horrible Conceptions, monstrous Notions; all hatched, and have their production from the putrified matter of standing in condition of Rebellion, and loosed from the rightful governing Power, and running loose into parties and into their own sense, having cast off the right Power, which keeps to Order and Unity, all Order and Unity being the effect of Government; and the Monstrousness and Infiniteness that enters in the vacancy or deficiency of it; for Errors in their nature are infinite, whereas all true Beings have but their natural proportions and definitions.

The other is unsettledness, which is the Curse of Usurpation, and of destroying rightful Government, that it cannot resolve it self into any thing of certainty or Being to the People, under the power of it: As we see these persons, to perpetuate their Wickedness, can make nothing of it.

The King's Right, and the wrong they do, doth shine out of darkness it self, out of that rubbish of confusion and destruction they would bury it under: We see they can make nothing of all the Power, having the whole, it being the King's Power and the King's Right; they are confounded with it, do but toss and tumble this Power over and over, it can no where settle to make a Government, but monstrous violence grows out of it; and this is all they can create from it, which doth admirably confirm the King's right, and that only in that doth consist the People's Interest; and what a strange spirit and principle is in it, that though troden down, and debased, reviled, scandalized, and kept out, yet it riseth against all Power, not in nature left, or possible to make a settlement, or Justice, or Safety, to the People without it; the People undone by the usurping it; so dangerous is a King's Right when devested and displaced, and so precious to preserve in its true place.

My last I will conclude withal, which may reflect upon the whole, is, that I conceive the best way of calling *Parliaments* is frequently, and never by necessity; for when a King hath most need, it proves most dangerous; therefore it is never to be used as

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the laſt remedy. Kings ought to have ſomething in reſerve to help them off that again if it grow averſe, and incline to danger. And it was the total ruine of the King, that he was ſo much a loſer before he came to play this Game: When all was diſtempered and diſordered round about, the out-Nations up in Arms, and the home-People poyſoned, diſcontented, then he calls a *Parliament*, when no thing totally, and mainly, could have deſtroyed him but that; for every grievance, and every miſery, and every diſtreſs of the King's ſerved them for matter againſt the King; and ſo turned the cauſe of putting himſelf upon them for help, to be the means of their depreſſing him, and deſtroying him. It is like that our Saviour ſaith, putting a new piece of Cloth into an old Garment, it makes the rent worſe; ſo all the parts ſo fear, and unſound, as nothing to bear the ſearching, ſevere remedy of a *Parliament*, and apt to grow wicked with their Power.

FINIS.